

FRANK SMYTH: THE ROOTS OF RWANDA'S GENOCIDE

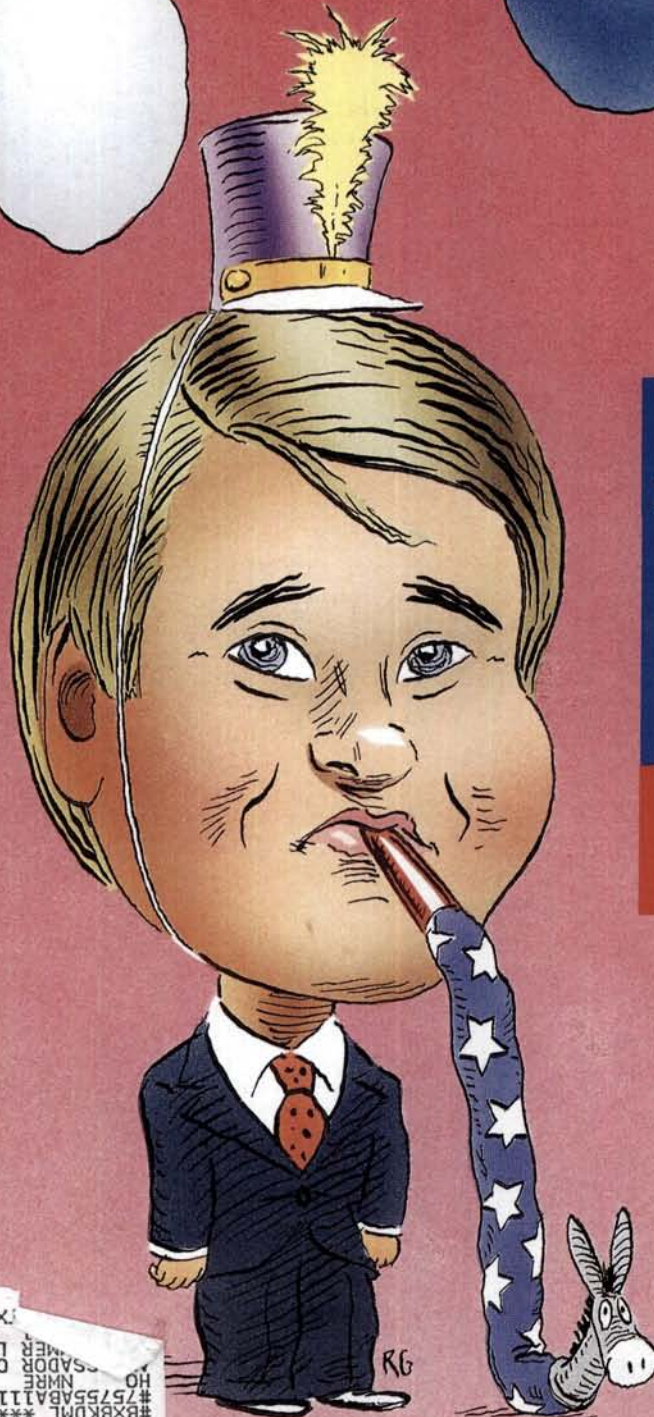
JUNE 20, 1994 • \$2.95

THE NEW REPUBLIC

Colin McGinn on Wittgenstein's heroism • Alfred Kazin on Lincoln Kirstein

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JUNE 20, 1994



Cover by Robert Grossman
for THE NEW REPUBLIC.
Article on page 21.

REC'D JUN 08 1994

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WASHINGTON, D.C.
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THE NEW REPUBLIC, Vol. 210, Number 25, Issue 4,144, June 20, 1994. (Printed in the U.S. on June 1, 1994.) Published weekly (except for combined issues dated Jan. 10 & 17, July 18 & 25, Aug. 22 & 29, and Sept. 19 & 26, 1994) at 1220 19th Street, NW, Washington, DC 20036. Telephone (202) 331-7494. The New Republic Advertising Sales Office (212) 702-4882. Yearly subscriptions, \$69.97; foreign, \$99.97; Canada, \$84.97. Back issues, \$3.50 (includes postage & handling). © 1994 by The New Republic, Inc. (ISSN 0028-6583). Second-class postage paid at Washington, DC, and additional mailing offices. Indexed in Readers' Guide, Media Review Digest. Microform, CD-ROM, issue and article copies are available through University Microfilms Intl., 300 N. Zeeb Road, Ann Arbor, MI 48106. Telephone 1-800-521-0600. Internet mail address: editors@tnr.com Member, Audit Bureau of Circulations. Unsolicited manuscripts can be returned only if accompanied by a stamped, self-addressed envelope. Subscribers: Please send all remittances, changes of address, and subscription inquiries to Subscription Service Dept., The New Republic, P.O. Box 602, Mount Morris, IL 61054. For subscription problems call 800-827-1289.

CORRESPONDENCE

All the wage

To the editors:

Stephanie Mencimer argues that raising the minimum wage could make work more attractive than welfare ("Take a Hike," May 23). But in order to make an intelligent comparison, welfare payments need to be reported on a gross income basis. It is remarkably dishonest to report only AFDC plus one-half the value of food stamps as a recipient's only income when there are a host of other supplements available to the sophisticated recipient, including housing supplements, energy supplements, nutritional supplements and, biggest of all, Medicaid. All these supplements must be included in the true income of those on welfare, an income for which no federal, state or FICA taxes are withheld. An equivalent income in the work force must not only match this total welfare package, but also offer enough to cover travel to and from work and child care.

Most Americans will not admit that welfare recipients have made a sound decision in choosing dependence. But

the fact is, few employers are able to pay an uneducated, inexperienced worker a wage equivalent to public assistance.

BILL KELLY

Northfield, Minnesota

Labor pains

To the editors:

I agree with Tom Geoghegan ("West of Eden," May 23) that reasonably high wages are generally good for the economy. This is the sound economic principle espoused by Henry Ford, who wanted to pay his employees enough to buy his cars. However, Geoghegan's view of Europe and especially Germany as a worker's paradise is unfounded.

At first glance, Geoghegan presents some impressive numbers, comparing a wage of \$20-26 per hour in Germany to one of \$8-10 per hour here. That's a fine comparison if you pay *American* taxes and commute from *America* daily. When you live in Germany, you pay German taxes, which approach 50 percent. You pay \$4 per gallon for gas, \$100 for a pair of jeans, rents that are significantly more than double and equally high prices for everything from cars to furniture to major appliances. My stepmother worked in a private school in Germany and had colleagues making upwards of

\$50,000 per year who couldn't afford to live alone.

To be sure, one gets a vast array of German social services, including "free" health care, in exchange for the extra taxes. Yet the high dollar-level of the hourly wages in Germany does not translate into a higher standard of living.

PATRICK J. A. MCCLAIN

Farmington, New Mexico

Bum's Rush

To the editors:

Calling Rush Limbaugh a liar ("Limbaugh's Lies" by Joshua Shenk, May 23) makes no more sense than calling Herblock a liar, or Garry Trudeau. Anybody who has listened to Limbaugh knows that essentially he is a political cartoonist—punchy, unfair, often tasteless, very funny. He makes no claim to impartiality, balance ("I am equal time") or journalistic accuracy (although he is prompt to correct factual mistakes when persuaded of them).

What drives his critics so wild is that he is a blasphemer. Limbaugh makes it his business to flout every liberal decency. He ridicules canonized victims. He scoffs at their established champions. He mocks the central and sacred liberal conviction that though idealism may occasionally make liberals impractical, the high moral seriousness of their motives is beyond question. Liberals will sometimes concede the head, so long as you grant them the heart, but, like Reagan and Thatcher, Limbaugh won't do that. No wonder there is a *fatwa* out on him. You cannot blame Joshua Shenk for his assassination attempt, but he was way off target.

MERRILL ORNE YOUNG

Surry, Virginia

Having a cow

To the editors:

Given the detailed information about Hillary Clinton's futures trading in 1979, a responsible journalist would have concluded that her profitable trades were fair. Instead, James Glassman, in "Hillary's Cows" (May 16), insinuates that because Mrs. Clinton made a risky investment at a time when her finances could not easily have supported the potential losses, her agent would have covered her had she done poorly; therefore, according to Glassman's logic, she is somehow guilty of *intent* to do wrong; otherwise she never would have entered the futures market in the first place. Why should I assume, in the absence of concrete evidence, that risky investments necessarily, or even

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probably, imply shady dealings? By these standards, virtually everyone on Wall Street and a rather large percentage of American investors appears equally culpable.

Just what is the assumption of Mrs. Clinton's wrongdoing based on, if not some pre-existing bias against her character? Accusations of this type are not intended to enlighten the public, but to create an atmosphere of suspicion in which any action (or even lack thereof) on the First Lady's part appears tainted with criminality. When innuendo and sexist insult (just why does Glassman call her "pretty in pink"?) are invoked to shore up creaky logic, and character assassination masquerades as investigative journalism, the thoughtful reader is left to speculate less about Hillary Clinton than about the motivations of your editorial staff.

DAVID MEHNERT
Paris, France

Snookered

To the editors:

In "Law's Labors" (May 23), Kathleen Sullivan contributes to a persistent misunderstanding of the *Roe v. Wade* ruling when she writes that the companion cases of *Roe* and *Doe v. Bolton* "barred states from criminalizing abortion until the last three months of pregnancy," and that after fetal viability, states "could treat it as murder."

Not so. Justice Harry Blackmun took away in one case what he appeared to give in the other. In *Roe*, Blackmun seemed to leave states the option of banning abortions after viability, with the exception that even then they must be permitted when maternal health was at risk; then he told the reader that the *Roe* decision must be read in light of the same day's ruling in *Doe*. When we turn to *Doe*, we find that maternal health is defined by Blackmun to include "all factors—physical, emotional, psychological, familial and the woman's age—relevant to the well-being of the patient." We are further told that the judgment as to whether any of these factors is relevant in a decision regarding a post-viability abortion is a matter strictly between a woman and her physician.

The upshot of this *Roe/Doe* legerdemain has been that, since 1973, there has been no such thing as an abortion prohibited outright anywhere in the United States at any time in any woman's pregnancy. No subsequent decision endorsing any "obstacles," not even *Casey*, has altered this fact. The public may be forgiven its misunderstanding if law professors such as Sullivan perpetu-

ate the myth that the Court in 1973 did not permit abortion on demand during the whole term of pregnancy. Even Warren Burger, proving he was no genius in these matters, concurred in *Roe* on the understanding that abortion on demand was not the new law of the land, and thirteen years later (!) essentially admitted he'd been snookered, when he changed sides on *Roe* in the last case in which he cast a vote on this issue.

MATTHEW J. FRANCK
Radford, Virginia

Babbling Brooks

To the editors:

Although the Jefferson Lecture is for "scholarly work," TNR complains (Note-



book, May 30) because Sheldon Hackney chose a black woman poet who won the first Pulitzer ever awarded a black person, who has gone on writing and teaching for more than fifty years since and who has gathered, as I recall, something like seventy honorary doctorates.

Then you complain because Gwendolyn Brooks asked us to consider the harm we do unmarried teenage mothers when we heap contempt on them. I had never thought of that, but as soon as I heard her say it I knew she was right. She wants us to love them. What would TNR do—beat them every morning with iron rods?

Then Brooks mentioned Louis Farrakhan, in the quote you cite. As she spoke, I thought of the '30s and "he makes the trains run on time." A hate-monger who can make the trains run on time is still a hate-monger, and we Americans must correct such people or cast them aside. But the poet was telling us

how Farrakhan looks from her end of the telescope, and this is worth knowing.

Suppose you were Hackney's choice, and he proposed to censor you? Why should he censor Gwendolyn Brooks?

MICHAEL O'MALLEY
Alexandria, Virginia

To the editors:

You describe Gwendolyn Brooks's lecture as "the first lecture commissioned by NEH Chairman Sheldon Hackney." In fact, the Jefferson lecturer is chosen by the Council of the NEH, on which I serve, and which is independent of the chair. Further, the 1994 lecturer was chosen before Hackney's confirmation. As the defender of Eden Jacobowitz in the infamous "water buffalo" case at the University of Pennsylvania last year, I certainly have not avoided criticism of Hackney. Fair is fair, however, and you are unfair in this instance. If, as you assert, there is any issue of blame, it is my colleagues and I, and not Hackney, who are the appropriate objects of your critical judgment.

ALAN CHARLES KORS
Wallingford, Pennsylvania

Two thumbs down

To the editors:

Stanley Kauffmann is a little too quick to applaud the idea of the video delivery of movies to theaters, and the replacement of film with high-def video ("The Gould Standard," April 25).

No one who has seen high-def believes it is superior to light-through-celluloid. In particular, like all video, it has a quick fall-off on either end of the spectrum, so that infinite gradations of grays are impossible, as are true whites or blacks.

In addition, there is the possibility that viewing video is a fundamentally different experience than viewing film. Jerry Mander, in his book *Four Arguments for the Abolition of Television*, argues that the nature of the relationship between the mind and the cathode ray gun as it paints the screen is such that it creates a "hypnotic state," while cinema, which projects an actual picture on the screen, creates a "reverie state." This is one explanation for the curious fact that it is easier to remember old movies than old T.V. shows; the movie is apprehended by the mind in a different way.

Although I enjoy watching movies on video, I enjoy watching them from a celluloid source even more, and do not look forward to the death of Real Cinema and its replacement by Real Big-Screen T.V.

ROGER EBERT
Chicago, Illinois

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FROM WASHINGTON

Dodge-dodger

Ronald Reagan spent World War II in Hollywood. "My job," he recalls artlessly in his autobiography, "was to narrate the [pilot training] films ... then say 'bombs away' at the appropriate time." (Even more artlessly, he goes on to recall: "At Fort Roach [sardonic nickname for the Hal Roach studios], I became one of the first Americans to discover [sic] the full truth about the horrors of Nazism." How? By seeing films of the liberation of the death camps.)

Reagan was ostensibly barred from overseas duty because of poor eyesight. It is possible, I suppose, that a man who could read perfectly from a TelePrompTer on D-Day 1984 had worse eyesight four decades earlier than all the millions of Americans who did risk their lives in battle. But I cherish doubts. And, like so much of the Reagan myth, this matter has never been nailed down.

In any event, Reagan's own war record didn't even merit a mention in *The Washington Post* report ten years ago on his famous fortieth anniversary speech at Omaha Beach. "They knew some things are worth dying for," Reagan declared. "One's country is worth dying for; and democracy is worth dying for." He teared up. It was one of the high points of his presidency. No one noted the irony.

You can bet that President Clinton will not be so lucky when he delivers his own D-Day speech next week. Already, the alleged difficulties arising from Clinton's avoidance of military service—in a later and very different sort of war—form the predominant theme in the coverage of his European trip.

The contrast must infuriate Clinton. Why could Reagan get away with noble talk of men dying for a great cause without snickers of contempt, when he can't? There are several answers to this, none satisfying. First, there was Reagan's famous "magic"—which is another way of saying his performance

skills could ride over little anomalies like his own record in the very war being commemorated. Reagan was an "actor"; Clinton is a "phony." The difference is a matter of style, not morality, but *c'est la guerre*.

Then, too, the press is a lot harder on Clinton than it ever was on Reagan. The Clintonites feel this way, they're right and D-Day is a fine example. They're also right to feel that the political opposition is more poisonous, and more organized, than Reagan ever faced. It keeps the "draft-dodger" issue bubbling. But there's also no denying that Clinton's slippery avoidance of military service keeps coming up because it plays into larger, and legitimate, doubts that people have about his character. And those doubts, unfortunately, are metastasizing with every day's newspaper.

He's got to do something to stop this. His presidency is at stake: no kidding. That's why I hope Clinton uses a bit of time in his own D-Day speech next week to take a risk and reach deeper than he has in the past on the subject of his generation's war and his own relationship to it. The temptation will be to just go for humility points by thanking the D-Day generation on behalf of its successors and leave it at that. But Clinton could do himself, and the country, a big favor by talking forthrightly about what everyone will be thinking about anyway.

Clinton's previous riffs on this theme—such as his remarks to hecklers when he spoke at the Vietnam Memorial on Memorial Day 1993—have been banal reflections that America is a great country because we're all free to disagree. "Just as war is freedom's cost, disagreement is freedom's privilege.... Let us not let it divide us as a people...." etc. That's evasive.

There are three key points. Unlike Reagan (or Dan Quayle), Clinton avoided putting his life at risk for a cause he thought was morally wrong. What's more, he devoted considerable effort to eliminating the possibility that others would put their lives at risk. Most important, the country ultimately decided that Bill Clinton was right. This was a war that, in the end, a large majority of American citizens didn't want to fight.

That doesn't absolve Clinton completely. Whether it is morally correct to "dodge" a war you deeply disapprove of was a question debated widely among young men at the time, to no firm conclusion. Clinton pulled several fast ones to escape military service, and his

motives almost certainly were mixed. But—with all due honor to Vietnam veterans—no American needs to feel ashamed of not having fought in Vietnam. And any American who participated in the nonviolent protests that helped to end the killing and dying in that war can be proud of his or her "record."

Clinton has nominated Sam Brown to be U.S. ambassador to the CSCE (an international organization based in Vienna; you don't care what "CSCE" stands for any more than I do). Brown's nomination has been blocked by a Republican filibuster in the Senate, because he was the leader of one of the big—and peaceful—antiwar marches on Washington. He "opposed actions to block communism," explains Senator Bob Smith of New Hampshire.

The Brown episode is mainly about blind Republican malevolence. But the reason they can get away with this is that the country is not being honest with itself about Vietnam.

We decided as a nation that the game was not worth the candle. Now many wish to

blame the antiwar movement for losing the war for us. We decided that Brown was right. Now we are punishing him for that decision.

The governor of Michigan, George Romney, reversed his support for the war in 1967—and destroyed his hopes for the 1968 Republican presidential nomination—with the famous, disastrous explanation that he had previously been "brainwashed" by U.S. government propaganda. Was America "brainwashed" by the antiwar movement? The notion is just as ludicrous. Most Americans still agree with Clinton and Brown that our Vietnam adventure was a mistake. Yet the stab-in-the-back theory remains a tempting consolation for America's only military defeat.

Clinton's tendency, as many have noted, is to try to please everybody. It certainly would not please everybody if he were to use the occasion of D-Day for a word or two in forthright defense of his own opposition to a later war. But, fairly or unfairly, Clinton will not enjoy Reagan's luxury of gliding past D-Day on a cloud of tears and pretty language. His own avoidance of military service will be on many minds, and those minds will be pondering whether it was mainly a matter of principle or a matter of cowardice. Some rhetorical courage on the day might help to resolve doubts.

MICHAEL KINSLEY

JUNE 20, 1994

CLINTON'S SECRET WEAPON

"It might catch fire." That was the curiously passive construction President Clinton used recently to assess the prospects for reforming the welfare system this year. When presidents want legislation, they usually don't wait patiently for it to ignite congressional interest; they run around with gas and matches. Clinton's vivid lack of urgency on welfare reform only reinforces the established Washington view that it is next year's topic. Health care is enough for one session, the argument goes. Even if Congress had time to tackle a second big domestic problem, Clinton couldn't afford to alienate liberals whose health votes he needs but who bristle at his "two-years-and-go-to-work" welfare scheme. Plus the First Lady . . . well, you know how she is about initiatives that deflect attention from her health crusade. Welfare reform this year? *You tell her.*

All right. We have a prediction to make: Congress will take up welfare reform, this year, at President Clinton's urging. How do we know this? Because we have read the latest Harris poll, which puts Clinton's approval rating at 42 percent, chillingly low given the healthy economy. We have also read the recent *Los Angeles Times* poll, which puts the approval rating for Clinton's two-years-and-work welfare plan at 90 percent. Even when voters were told the plan would cost \$50 billion over ten years, 69 percent supported it. If you were a president, bumping along at 42 percent, with your health bill in trouble and elections approaching, and you had a welfare plan sitting on the shelf that attracted 90 percent approval, wouldn't you pull it off the shelf?

We are not cynical about this. Just because 90 percent of the American people want something doesn't make it a bad idea. The voters are right to support Clinton's plan. America's deepest social problem is its underclass—whole neighborhoods, mainly African American, mainly urban, where there are no marriages, no fathers and precious few workers. The underclass problem is what drives the crime rate, the flight from cities, the rise of racial hostility. And what sustains the underclass is welfare, especially Aid to Families with Dependent Children, a \$26 billion program that sends checks, mostly to nonworking single mothers. Change welfare—specifically, require recipients to take community service jobs after two years on the dole—and underclass culture will change, too.

To read the press, you might think Clinton's basic

outline for reform has already been hopelessly compromised. A recent news report in *The Wall Street Journal*, for example, declared that since Clinton was proposing only "modest" changes, his welfare reform pledge "is sounding a bit hollow." It's true that Clinton has scaled back his plan. Originally, it would have cost \$15 billion over five years. Now it will cost about \$10 billion. But most of what got cut was either questionable (\$1 billion to *expand* welfare to two-parent families) or nonessential (\$5 billion in child care for the working poor, cut to \$1.5 billion).

The guts of the plan remain intact. The time limit has been relaxed, but only a bit. (Mothers with newborns will get an extra year added to their two-year limit). When the limit is reached, welfare will end. Ex-recipients will be offered community service jobs. If they don't work, they won't get paid. The number of exemptions is limited. Clinton has held down the plan's expense by phasing it in: it will initially only apply to recipients who are 24 years old or younger in 1996. But it will apply to *all* of them—most importantly, to young girls who haven't yet had the illegitimate child that puts them on welfare. They will know that AFDC won't be there to support them indefinitely and they will begin to make better choices—staying in school, going to work, getting married before having children.

That assumes Congress doesn't fatally weaken the Clinton proposal. Here, a second false impression has been left by the press, namely, that there are rifts among various factions in Congress which, as a recent *New York Times* editorial put it, "cannot easily be bridged." That's misleading. Yes, there will be a fight over whether to finance the plan by cutting benefits to legal aliens. (See "Solid Noncitizens" by Paul Offner, page 10.) There will be a fight over whether the community service jobs themselves should be time-limited, and over whether states must increase benefits when welfare mothers have additional children. Liberals in Congress will probably back a bill being drafted by Representative Robert Matsui that will try to avoid time limits by expanding the existing, ineffective welfare-to-work program. But the Clinton plan and the main Republican alternatives (as well as a separate centrist Democrat proposal) are almost breathtakingly similar. Compared with health care reform, this one's easy. And popular. Why not do it? •



NOTEBOOK

RULE ME OUT: The plea-bargain federal prosecutors dangled in front of Dan Rostenkowski's nose may have seemed generous, considering the amount of dirt they supposedly have on him. But it was positively stingy compared with the cushy accommodations House Democrats provide for colleagues caught in the act. According to the rules of the House Democratic Caucus, a member who is convicted of a crime isn't required to resign from Congress—even if the crime is a felony. What's more, if the member is, like Rosty, a committee chairman, he doesn't necessarily have to step down from his post. The rules require him to step aside temporarily until he stands trial, but if his prison sentence is less than two years, he can go right back to the big chair when he gets out of the big house. Only if the judge hands down a prison stint of more than two years does he have to relinquish his chairmanship. The rules are even

more forgiving for members who cop a plea. Had Rostenkowski pled guilty instead of opting to go to trial, he could have held on to his chairmanship even while he served time—unless the House voted to censure him, as Republicans threatened to do if he took the plea. Felons may lose their right to vote for the president, but in the House they are still able to vote with him.

CHANGING OF THE GUARD: With next week's issue, "TRB from Washington" will have two new authors, Senior Editors Mickey Kaus and Robert Wright. Each will write the column every other week, reviving the initial tradition of TRB, which was written by several of the magazine's editors until it was immortalized by Richard Strout, who wrote it from 1943 to 1983. Michael Kinsley, who has written the column for the last twelve years, will stay as senior editor in order to write longer articles. It is impossible to say how much his colleagues admired his wit, his judgment and

his humor as TRB. We know our readers feel the same.

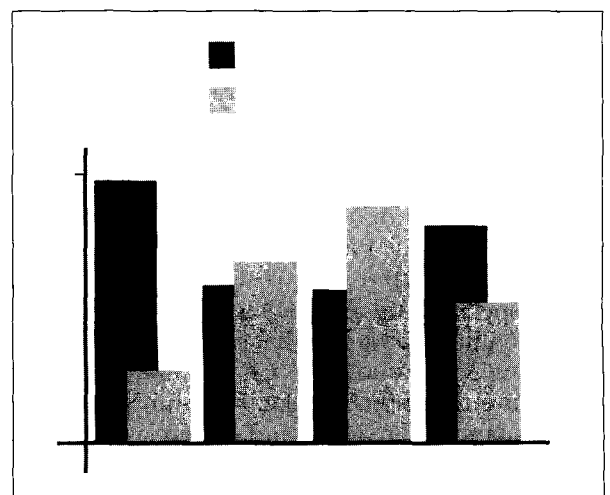
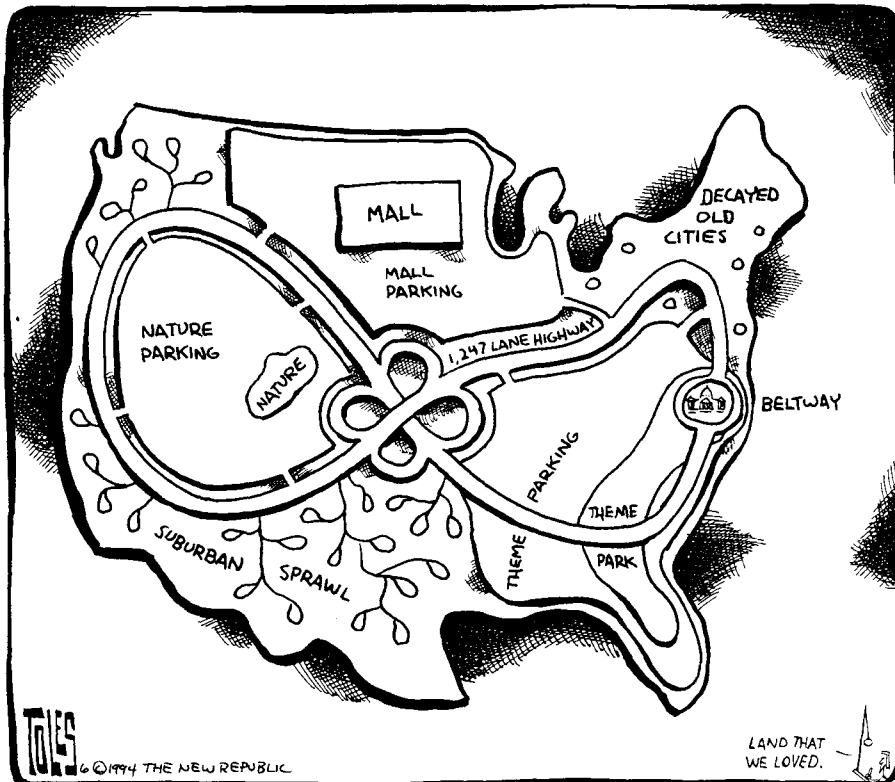
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Pentagon to Invest in Ships

—*The New York Times*, May 26

DE KOONINGOMICS: Those readers impressed by the elegant piece of abstract art that adorned Robert Shapiro's article last week ("Growing Pains," *TNR*, June 13), were, alas, mistaken. It was originally intended as a graph to illustrate President Clinton's economic and political future, and the crucial data were eaten by a computer on the way to the printer. We will shortly reveal the actual details, but in the meantime, we invite readers to submit their own version of what the graph, reprinted below, actually signifies. It should have something to do with the Clinton administration's

economic and political fortunes. The reader with the best analysis of this difficult subject will receive a year's free subscription to *TNR*.



More from the Haldeman diaries.

NIXON IN HELL

By Sam Johnson and Chris Marcil

P called early this morning, eager to work. Upbeat, positive, not at all brought down about being here. Like K has always said, superb in defeat. Did complain about long waits during processing; somebody told him Kennedys, LBJ sailed right through. I promised to check.

He was really inspired by send-off. Notes with satisfaction all the media types here and ordered them to receive copies of Clinton speech. Of course, these kinds of assignments are supertough to execute—level of P.R. here is truly unbelievable. Compelling “comeback” theme might cut through the clutter, however.

I had put a long orientation memorandum on his desk yesterday, but the P said he hadn’t read it; *Patton* was on and he couldn’t resist. Overall, he’s pleasantly surprised by the level of creature comforts, reminds him of a really good Sheraton. But concluded that the physical man is weakest part, what really matters is spirit. Creature comforts are a trap, P says; we must be vigilant because S is out to get us.

P started speculating on character of S. Wants to be “top guy,” not “organization man,” which is good. Similar to Mao, P feels. Problem, again, is P.R. deficit. S doesn’t understand image, that’s why coverage in Jewish Bible screwed him. Perhaps we can help him there. P very specifically indicated he would handle this personally.

Constant interruptions. LBJ dropped by urging “guts.” I told the P he’s angling for endorsement in some school board election he keeps running for. The P says to check if there’s anything he can do for us. Plus visits from Silent Majority types, George Allen, etc. P required to do a lot of small-talk stuff, still not his strong suit. Irritating, but that’s the nature of this place.

Then he called me late at night complaining, a broken A-flat on the Steinway is driving him up the wall.

The P got the call from S himself today. Extremely excited—wore best suit, without vest, though, and jacket unbuttoned. Wanted to appear respectful but “masculine,” unafraid. Waited three hours before word came, S “absolutely too busy today.” Deepest apologies, reschedule in three weeks. The P reluctantly posed for photos with undersecretary, a black.

Naturally, P furious. He’s convinced that S is caving to demands of critics and plans to really bust P. Unfortu-

nately, not a lot of options given our current situation. One suggestion: use Billy Graham to help with J.C. But P thinks it’s better to get J.C. to move our way by threatening to associate him with radicals, liberals.

Checked: Hoover, Coolidge took longer through processing than JFK, LBJ. Interesting. FDR and HST exceptions, however, due to war.

Still only getting *Patton* on T.V. Called cable co., but line busy third day in a row.

This morning the J.C. story leaked, somehow. It was totally inaccurate and twisted the meaning, but despite that, S called to cancel meeting. P even more furious, naturally, but after temper died down he was cool and impressive, says we may just have to cut our losses.

Then the black undersecretary called, says S has an assignment for him, he should show up at Media Building tomorrow. P hopeful it’s commentator position.

Terrible news. P assigned a 6,000-word piece on a rock ‘n’ roll musician for Sunday supplement. Fuming, P was given just fifteen minutes with the guy, Cobain, in a suite at the Marriott. Cobain evasive, unfriendly, rude, but P enjoyed writing the piece, which he says is “not so much a profile of a subversive but the diagnosis of a national sickness.” The P especially pleased with line that tear gas removes the smell of teen spirit.

Later, we celebrated P’s triumph at Toots Shor’s. Good food, but tiny portions and terrible service. Left hungry. JFK there with Jayne Mansfield, extremely warm reception, despite P’s fears. Offered to get P pulled off press pool but P declined. In the car, he raged about being patronized “in front of the woman.”

Patton still on, and now reception is bad.

Disaster. S pulled the Cobain piece personally. Copy came back today covered with red ink, needs a complete rewrite. P’s editor was contrite, said he’d been working on a meet-the-Borgias piece for over 500 years. P rallied and did the rewrite. Said he’s making the piece more mainstream, Cobain as a man destroyed by the ones he had trusted most. P sees certain parallels.

Kennedy encounter still rankles, though P wondered aloud just what JFK could do for him. He decided to call and “nose around a little” about a new assignment. Kennedy swimming laps with Byron, P left a message.

Good news. P awakened by Kennedy’s dad, calling to ask for legal help. P elated, sees it as the first step back to the top. Joe (Kennedy) also has him in mind to oversee production on a new film, Cobain to star. The P very interested, despite six-day shooting schedule, \$400,000 budget and 200-page script. Convinced if he does well on this he’ll be in a position to “screw S right to the wall.” Meanwhile, S wants rewrite on piece, naturally.

Baseball rained out again. But the cable guy finally came. No more *Patton*, just “All in the Family.”

SAM JOHNSON and CHRIS MARCIL write for MTV’s “Beavis and Butt-head.”

Don't toss legal immigrants off the dole.

SOLID NONCITIZENS

By Paul Offner

Opposition to welfare has always been couched in terms of stereotypes—remember welfare queens?—and this year is no different. The current demon is the welfare-dependent immigrant. Many Republicans and some Democrats are calling for the elimination of welfare benefits for immigrants, legal and illegal, a proposal that is bolstered by a Congressional Budget Office report that projects \$22 billion in savings over five years. That is more than enough to finance all of welfare reform, which is projected to cost between \$10 billion and \$18 billion.

Illegal immigrants, who aren't supposed to be here in the first place, have already been cut off from most government benefits, though the few they do receive (emergency medical services, public school education) are expensive. Legal immigrants, however, are another matter. Legals have almost all the rights of U.S. citizens, the major exception being the right to vote. In time of war, they can be drafted. Most important, they pay taxes. Why shouldn't they receive public services—including welfare benefits?

If legals want to be eligible for welfare, critics ask, why don't they become citizens? The answer is that citizenship should have no bearing on the matter. Are we now going to withhold services from people based on their nationality or place of birth? Would we favor, say, the denial of garbage pick-up to a residence whose occupant happens to come from abroad? Of course not. Anyway, there are practical reasons why legals might not become citizens. Many elderly people come here intending to stay but have a hard time learning English—a requirement for citizenship. In fact, only 15 percent of immigrants over age 65 who arrived in 1977 had naturalized by 1991, according to the Immigration and Naturalization Service. Other immigrants come here to work, but plan someday to return to their country of origin. Still others remain emotionally tied to the old country, so they never apply for citizenship.

But *they come here to get on welfare*, the critics complain. Indeed, a higher proportion of legal immigrants receives welfare than natives (4.7 percent versus 4.2 percent). Yet numbers can be deceiving. Legal immigrants fall into three distinct groups. About 10 percent are political refugees from countries such as Laos, Vietnam, Cambodia and parts of the former USSR. Since many are victims of persecution and arrive here with no resources or means of support, they are allowed to receive pub-

lic assistance until they can get on their feet. In 1990, 16 percent of them (about 170,000) did. The second group is composed of non-refugee immigrants under the age of 65. According to Michael Fix and Jeffrey Passel of the Urban Institute, this group's rate of welfare dependency is 27 percent *lower* than that of the native population. This is not too surprising—working-age immigrants have to wait three years before they can apply for welfare. But the point is that, at least for this group, the welfare magnet theory doesn't hold.

That brings us to the third group: non-refugee immigrants age 65 and over. Many of them are too old to put in enough work to become eligible for Social Security when they get here. For three years after they arrive, they are the financial responsibility of the people who brought them here—their sponsors—but after that they can sign up for Supplemental Security Income (SSI), our welfare program for the elderly. In effect, SSI has become their retirement program. Over the last ten years the number of immigrants receiving SSI benefits has tripled. Today, fully 13.1 percent of elderly non-refugee immigrants (about 400,000) receive SSI, compared to 6.9 percent of the native-born population.

Here, clearly, there is a case for reform. In mid-June, the Clinton administration will propose that the sponsors' period of financial responsibility be lengthened to ten years. Notwithstanding the opposition of the Hispanic Caucus in the House (44 percent of all immigrants come from Latin American countries), that proposal is likely to pass, saving the treasury about \$3 billion between now and 1999. Of course, there is nothing magic about a period of ten years. The sponsors' responsibility could be extended indefinitely (until such time as the immigrant becomes a citizen), saving at least another billion. (Elderly and disabled immigrants would still receive more than \$6 billion in Medicaid benefits.) But the goal should be to strike a reasonable balance between family responsibility and government support, not terminate public benefits altogether.

An additional problem with cutting off legals is that much of the savings isn't real: the burden is simply shifted to the states. By law, legal immigrants who fall on hard times can apply for state-financed general relief benefits, which the states have little choice but to pay. The courts have ruled that under the equal protection clause of the Fourteenth Amendment, states may not restrict benefits to legal aliens. So here's the irony: if Congress sides with the critics, the biggest losers will be states like California, Florida and New York (the state my boss, Senator Daniel Patrick Moynihan, represents). These are precisely the states that have attracted the most immigrants and have the most legitimate complaints about our current policies.

In recent years Republicans have wrapped themselves in the rhetoric of free trade and free choice, so it is hard to understand why they now want to come down hard on foreigners who choose to move here. Of 175

GOP members of the House, 162 have co-sponsored legislation to eliminate benefits for immigrants, and at a Ways and Means Committee hearing in early May, not a single Republican voted against the cutoff. Ordinarily, it would fall to the Democrats to save the day—except they, unfortunately, have their own problems. The Mainstream Forum, a group of ninety centrist House Democrats led by Representative Dave McCurdy of Oklahoma, is also supporting the cutoff.

Perhaps the lure of easy money will prove too much to resist. If so, it would be a slap in the face of legal aliens, who played by the rules in getting here, who work and who pay taxes. And it would be dumb economics. Fix and Passel conclude that, overall, immigrants generate more in tax revenues than they cost in services. Yes, reforms are needed—for example, more of the cost of supporting elderly immigrants should be shifted to their sponsors. But demonizing *all* immigrants isn't the answer.

PAUL OFFNER is a legislative aide to Senator Daniel Patrick Moynihan. The views expressed here are his own.

Advice for the president's legal team.

POUNDING PAULA

By Akhil Amar and Neal Katyal

No one is above the law, but surely the president is special: this is the legal tightrope attorney Robert Bennett must walk on behalf of his client, President Clinton. As he drafts an answer to the sexual harassment complaint filed by Paula Jones, Bennett must uphold the role of the office without seeming to betray the rule of law. In other words, Clinton must win without looking like Richard Nixon.

Why should Jones be prevented from suing a fellow citizen? Bennett's response must be that the president is, well, the president. Of course, this basic argument can be packaged in several wrappings, each with different consequences for our legal system. Some variants are already on Bennett's radar screen (for instance, a sweeping claim of absolute presidential immunity), but others are not. Here are three Bennett would do well to consider:

The People's President. Our Constitution marks the president as unique, not as a matter of divine right but of democratic design. There are 500 lawmakers in Congress and 1,000 federal judges and nine Supreme Court justices in the judiciary; these branches can function even if one member is off defending a pri-

vate lawsuit. But there is only one president. Other branches are only sometimes at work, creating periodic recesses for trial—Article I explicitly limits certain congressional immunities to times when Congress is "in session." But the executive never sleeps; the president is always in session. He must be ready, at a moment's notice, to do whatever it takes to preserve, protect and defend the Constitution and the people: prosecute wars, command armed forces (and nuclear weapons), protect Americans abroad, negotiate with heads of state and oversee the economy. Courts should hesitate before arming every citizen with the right to commandeer the president's time, drag him from the White House and haul him before any judge in America. If suits like Jones's can go forth easily, the American people—not the president—may end up paying the real damages.

Privileges and Immunities. In 1982 the Supreme Court held in *Nixon v. Fitzgerald* that a president cannot be sued for his presidential actions. Jones will argue that prepresidential wrongs are different. Bennett can try to stretch the immunity blanket to cover all presidential sins, past and present, public and private. Yet on that basis, Clinton would win only by out-Nixoning Nixon—hardly something to cheer about.

Presidential counsel Lloyd Cutler and others have floated a narrower solution: "toll" (that is, stop the clock on) the statute of limitations and let the Jones case proceed only after Clinton steps down from the presidency. Tolling preserves plaintiffs' rights and renders presidents legally accountable, while recognizing the president's special role while "in session" as president. It draws support from the spirit of a 1940 law granting military personnel temporary relief from litigation during their term of service.

Of course, worthy plaintiffs pay a price. They may be forced to wait nearly a decade to recover, or memories may fade—and not all presidents live to become suable ex-presidents. Imagine a plaintiff run over by a transition team bus driven by Clinton the week before the inauguration. The "tolling" compromise hurts a helpless pedestrian and diligent litigant. Bennett can argue that Paula Jones is no helpless pedestrian, that *she* is the reckless one—*choosing* the constitutionally dubious time of her lawsuit with indifference to its potential impact on the presidency. Why didn't she bring suit *before* Clinton assumed the high duties of president, when litigation would not have raised grave difficulties? Our hypothetical pedestrian had no choice.

Bennett may also raise the timing issue to challenge Jones's credibility: If it really happened, why did she wait to sue? The problem with this line of questioning, however, is that Jones may have an answer: she could allege, as she does in her complaint, that post-inaugural accusations, denials and slights induced her to file.

A better idea is for Bennett to fashion an argument around "laches," a little-known but powerful line of

defense. This argument would be more technical than a straight-out assault on credibility; it would suggest a quick judicial dismissal rather than an ultimate jury verdict after an ugly trial. Under well-established legal principles, plaintiffs may not always sit on their rights and wait until the last day of the statute of limitations, even if they are telling the truth. Laches prevents a plaintiff from delaying suit in ways that wreak havoc on defendants. It can apply even where a statute of limitations still has time to run.

Although in earlier days laches applied only to "equity" cases (those tried by a judge rather than a jury), the logic of the 1938 merger of "law" and "equity" erases most of those distinctions, and courts have been heading this way for years. Bennett may also sidestep the law/equity question by repackaging the issue as one of constitutional common law: Congress nowhere explicitly enacted a statute of limitations for the claims Jones raises. Where the president is involved, do we want fifty different rules in fifty different states for a lawsuit that is, chiefly, rooted in federal law?

The advantage of laches is that it helps blunt the fairness concern with the Cutler compromise: Jones loses if she cannot explain why she delayed filing for so long. She has been aware of all the facts since May 1991 and says she told many friends within days. Bennett's argument here could nicely bolster his earlier paean to the People's President; laches would encourage people to raise their claims before the public as well as the courts *before* Election Day. Jones's defamation claim—focusing on the president's statements and actions as president—would require separate attention, but this falls close to the heart of *Nixon* and runs up against a strong free speech defense to boot. Laches has one other possible strategic advantage: unlike tolling, it might end the lawsuit (and thus litigation discovery) once and for all.

Personal Jurisdiction and Venue. The specter of a fifty-state patchwork leads to a final and simple but easily overlooked point. If a sitting president can be sued, he should probably be suable only in Washington, D.C., to minimize disruption of his constitutionally prescribed duties. Article III guarantees foreign ambassadors the ability to defend suits in D.C., so why not the president? In 1787 who would have thought any court on the continent could reach out and grab the president through new-fangled long-arm statutes? Adopting this argument would be to Bennett's advantage, for if D.C. were the only constitutionally apt venue, Jones's lawsuit could be dead on arrival: the statute of limitations in the district arguably lapsed long ago.

Of course, the venue gambit will not always do the trick for a president in all future lawsuits. Then again, Bennett only needs to win the case at hand.

AKHIL AMAR is Southmayd Professor at Yale Law School. NEAL KATYAL is a student at Yale Law School.

THE  PRESS

SHOT DOWN

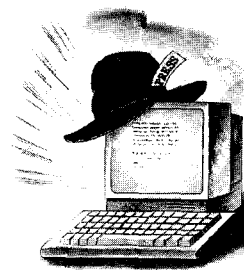
By Charles Lane

The 120mm shell that hit Sarajevo's marketplace on February 5 killed sixty-eight people—and altered the course of the war in Bosnia. Global outrage led the U.N. and NATO to threaten bombing the Serbs unless they withdrew their artillery from around the city. Of course, there was no ironclad proof that the Serbs, the presumptive culprits, fired the shell. So the Serbs have accused the Muslim-led Bosnian army of staging the massacre to score a propaganda coup.

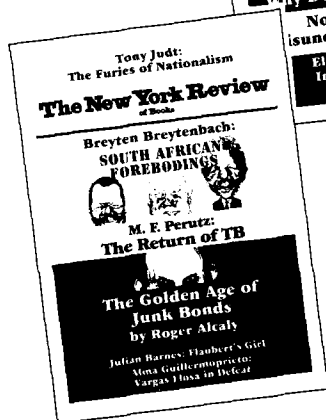
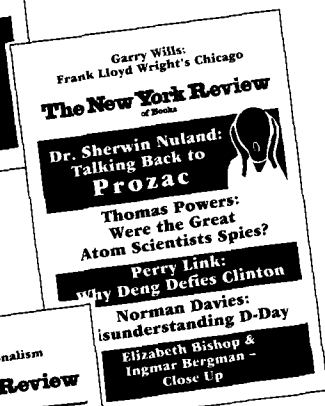
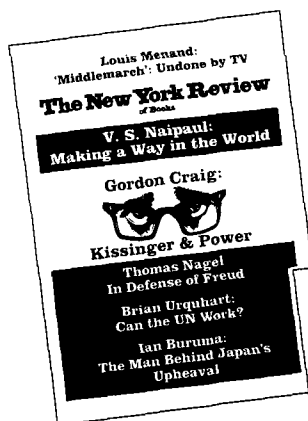
This is hardly the first such insinuation by the Serbs. They fed former U.N. commander Lewis MacKenzie the same line after the horrible "bread line massacre" in Sarajevo two years ago—and he fed it to the press, even though there is no substantiation for it. (See "Blaming the Victim" by Tom Gjelten, *TNR*, December 20, 1993.) This time, the Serbs have been able to persuade some in the press that there is a secret U.N. report "proving" the mortar came from a Muslim-held position. Of course, you can never rule out a Muslim setup or accident; they have committed abuses elsewhere. But after weeks of searching for the secret document—or any other hard evidence—I'm convinced that this, like the MacKenzie case, is just a game of journalistic telephone.

The first mention of a purported secret U.N. document was by the Belgrade news agency Tanjug on February 8. Tanjug's "sources" were three unnamed officers of the U.N. Protection Forces (UNPROFOR) in Bosnia. Tanjug, of course, is an instrument of Serbian President Slobodan Milosevic's propaganda machine. Ten days later, however, Bernard Volker of the French network TF1 aired a story similar to the one by Tanjug, citing a single unnamed source who had "seen" the alleged U.N. document. Volker said the report was a "formal" finding of UNPROFOR's high command that was transmitted to the U.N. in New York after the Security Council decided on February 9 to set a deadline for air strikes.

Volker's story, which was picked up by Reuters and *The Times* of London, prompted a furor in France—and an immediate denial from UNPROFOR. Then Misha Glenny got into the act. In March, Glenny, a former BBC reporter who covers the Balkans for *The New York Review of Books*, told two interviewers, radio host Terry



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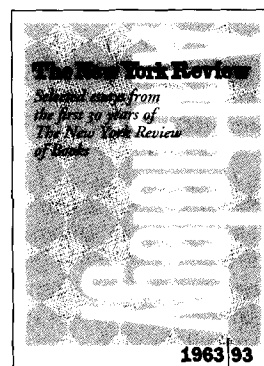
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Gross and T.V.'s Charlie Rose, that there is a U.N. report that blames one side.

Glenny stopped short of fingering the Muslims by name, but left no doubt about his suspicions. "The French reporter swears blindly he has seen [the report]," Glenny told Rose—and Volker *does* blame the Muslims. Glenny said "in political terms it would be much more likely" that the Muslims are guilty. He dismissed the UNPROFOR denial. The U.N., he said, is holding its information in reserve, "to pressurize one side to behave properly in terms of negotiations."

Glenny has not seen the alleged report. He says he was told about it by a "very reliable" source. He seemed surprised when I told him that, in fact, Volker never "swore" he saw it, either. Interestingly, Volker's explanation of the UNPROFOR denial differs from Glenny's. U.N. Secretary-General Boutros Boutros-Ghali suppressed the report, Volker says, not to preserve leverage

over the Muslims, but rather to *help* them—to avoid blowing the chance provided by the massacre to lift the siege. (Volker's credibility sustained a blow, however, on March 18, when he reported on a secret February 12 letter from European Union peace mediator Lord David Owen to the E.U. foreign ministers. Volker claimed that, in the letter, Owen asserts that the U.N. blames the Muslims for the massacre. In fact, Owen had simply quoted the Tanjug story to explain Serb intransigence in peace talks. Faced with Owen's denial, Volker retracted this story.)

Senior U.N. officials seem genuinely nonplussed by the persistence of the rumor in the face of their denials. I interviewed four separately, each of whom has seen the detailed UNPROFOR analysis of the massacre site. I also contacted three senior American officials familiar with U.S. policy on Bosnia and the U.N.'s deliberations about the marketplace massacre. All said the

Vlady's Conquests

At a recent party in New York, I encountered various members of the Moscow intelligentsia. The topic of conversation was, of course, Vladimir Zhirinovsky. And I was surprised to find that members of that liberal circle who had first championed Gorbachev spoke of Zhirinovsky with the sort of good-humored affection that so many Americans applied to Ollie North in his heyday. "You know," said one, "he's just a cynic. Everyone in Moscow is a cynic. Everyone in New York is a cynic. It's not such an interesting problem."

The Russians were rather amused by my curiosity about their leading nationalist and suggested that I join them, the following evening, to meet some of Zhirinovsky's New York friends and advisers. At 10 p.m. at the kitschy Russian Samovar restaurant on West Fifty-Second Street, I was introduced to several bearish-looking men with broad features and beards, some of whom wore turtle-necks with their dark blue suits. My attempts to discuss Zhirinovsky's anti-Semitism were curtailed by The Unforgettable Eugenia, a 72-year-old woman in a long sequined dress, who wore enormous plastic glasses and sang Russian Jewish folk tunes. "I spent last month with him," one member of our group reported between songs, producing snapshots to prove it. "It's a shame, you know—he's really getting very arrogant, not nearly as funny as he used to be. Famous people always have this prob-

lem with their sense of humor."

I wondered how funny he used to be, and said that he seemed really strikingly un-funny these days. "You've been reading the New York papers too much," one man said. "It's really a game. Vladimir likes power and attention. Everyone hated him at school; he was the class clown, and provincial! So he says whatever will make him popular now, but he doesn't believe any of his own rhetoric. He's not like Rutskoj or Hitler or Stalin. It's all a joke, the biggest joke around." I thought this was pushing cynical pretty far, but I didn't get to say so because The Unforgettable Eugenia began her grand medley from *Fiddler on the Roof*.

"Let's go somewhere we can talk," said Zhirinovsky's friends, and they led me to a basement at the corner of Fifty-Seventh Street and Eleventh Avenue, where I found what appeared to be a reproduction of the lobby bar at the Intourist Hotel, circa 1986. A band in navy blue jackets with yellow piping was singing Beatles songs in Russian. There was a revolving mirrored ball, and every table had plates of those revoltingly grainy tomatoes and cucumbers I had thought you could grow only in the depleted soil of the steppe. I asked whether Zhirinovsky was gay, a rumor I'd heard from friends in Moscow. "He's never very interested in women," someone remarked. "And he's always got those good-looking young guards around him." Someone else knew a male poet who claimed to have had a long-term liaison with Zhirinovsky. The vodka had been going around, so everyone

was keen to be helpful at this point.

"If you want to sleep with him, we could probably arrange that for you," one volunteered. Another shrugged. "It might be fun to write about afterward," he said, then added, sotto voce, "but I know, believe me. I'd think twice about it if I were you."

I was somewhat distracted by the women who had come to join us, all of them wearing enormous quantities of turquoise eyeshadow, one sporting a floor-length black satin dress and shoulder-length black satin gloves with jet buttons. Feeling out of my depth in the political conversation, I got up and danced under the mirrored ball to "All You Need Is Love" and "Let It Be," making good use of the slow-dance two-step that I had last done at a high school dance. When I sat down, I pointed out that even if Zhirinovsky was really an actor and didn't believe his own rhetoric, he might get trapped by it. "Don't worry," someone said. "He won't get enough power to be trapped. He'll just get influence. Russians are too cynical to elect such a cynic." I expressed relief. "A cynic like that," said one of the company, "could much more easily be elected mayor of New York, even president of the United States." He slapped his hand on the edge of the table. "That's why *we live here*," he said, and burst out laughing.

ANDREW SOLOMON

Andrew Solomon is author of the forthcoming novel *A Stone Boat* (Faber & Faber).

same thing: there is no report of the kind Volker, Glenny and Tanjug are talking about.

Immediately after the attack, French U.N. soldiers made a quick "crater analysis" of the site. Their report placed the source of the mortar about one kilometer to the north, within Muslim lines. (Possibly Glenny's and Volker's sources were mistakenly portraying this as the U.N.'s "findings.") But then U.N. Special Representative Yasushi Akashi, no friend of the Bosnians, ordered a "comprehensive follow-on investigation" by a team of officers from Canada, France, Pakistan, Russia and Spain. "There is insufficient physical evidence to prove that one party or the other fired the mortar bomb," the team's unanimous forty-eight-page report said. "The mortar bomb in question, therefore, could have been fired by either side." Boutros-Ghali submitted this finding to the Security Council on February 15.

The only document blaming the Muslims that I heard about reliably was a four-page memo, apparently prepared by U.N. staff well after the Tanjug and TFI stories, which subsequently found its way to the State Department. But a senior U.S. official told me State regards such emanations from the notoriously anti-intervention U.N. bureaucracy "with a healthy skepticism." He added: "There is no definitive master report. There is no new evidence [since the crater analysis]." I put the same question to a very senior U.N. diplomat. "I have very little doubt it's the Serbs [who committed the shelling]," he said. "That's the widest-held view around here." The U.N. has *never* documented staging of massacres by the Muslims, he added.

Of course, his denial could simply be part of the clever U.N. cover-up posited by Volker and Glenny. Glenny's version seems based on rumors about a February 10 meeting between UNPROFOR commander Lt. Gen. Michael Rose and Bosnian officials in Sarajevo, during which Rose supposedly threatened to reveal the "secret report" unless Bosnian officials went to the Sarajevo airport to talk with the Serbs.

U.N. officials deny this. It doesn't seem logical, either. Since the massacre the Bosnian government's negotiating position has *hardened*. If there were ever a time to blow the cover off the marketplace massacre, this would be it. But the U.N. hasn't done so. Glenny's theory also presumes a level of secrecy uncharacteristic of the U.N. bureaucracy. U.N. and U.S. officials chuckle at the idea. "The U.N. is a sieve," one said.

Still, it's too late to stop the spread of the Serbs' story. In addition to Glenny and French T.V., it has been taken up by anonymous Pentagon officials quoted in the February 21 *U.S. News & World Report*; *Newsweek* military affairs writer David Hackworth; French rightist Jean-Marie Le Pen; and Jonathan Eyal, a British scholar who writes op-eds for the *Independent*. SerbNet, the Serbian-American media group, is pushing the story—"sourced" to French T.V., *The Times* of London and Reuters.

A footnote: Tanjug Editor-in-Chief Dusan Zupan stands by his story—according to Tass. •

Why I don't like Disney's America.

A MICKEY MOUSE IDEA

By C. Vann Woodward

The latest invasion of Virginia follows a route favored by some of its predecessors in the 1860s. With somewhat different purposes in mind, however, the battalions of the Walt Disney Company advance their cause with subtler strategy, more sophisticated weaponry and a long barrage of propaganda. They propose to convert the country's most richly historic area into Disney's America, a "theme park" that will become a vast tourist trap.

In recent weeks there has been much hostility to the plan—from historians, journalists and a few Virginians. To soften up the opposition, Disney promises peaceful occupation of a small area of 3,000 acres purchased from local owners, not a forcible takeover of the state. The company has emphasized areas of mutual advantage, especially those on the side of Virginia. Among them are Disney's investment of \$650 million in its "tourism complex," including a minimum of 2,500 and possibly 6,000 housing units and 1,300 hotel rooms—a brand new city thirty-five miles west of Washington. Disney expects to attract at least 5 million tourists per year and to invest \$1 billion in other commercial ventures in the area. All this holds out the prospect of some 19,000 jobs and many new taxpayers—a certified boom.

Thus far Disney has lured many powerful Virginians to its side. Governor George Allen gives the project his strong support. In March the state legislature approved \$163 million in subsidies to improve roads near the park. The Association for the Preservation of Civil War Sites, which has its headquarters in Fredericksburg and boasts 6,500 members, voted in mid-May to advise Disney on the contents of its exhibits relating to the war; recently, Disney made a \$100,000 contribution to the association. *The Richmond Times-Dispatch*, the state's leading paper, has editorialized in favor of the Disney plan.

The invaders have also been clever in selecting the 3,000-acre site just west of the Manassas National Battlefield Park. Their purpose was not only to flank the field of two famous conflicts but to command vital arteries of traffic to fourteen other Civil War battle sites, thirteen historic towns and many historic homes and monuments. Disney's America would be at the juncture of U.S. Interstate 66, which heads east to Washington, and U.S. 29, which runs southwest past the Warrenton, Brandy Station, Cedar Mountain and Culpeper battlefields, and on down near Jefferson's Monticello, Madison's Montpelier and Monroe's Ash Lawn. Nearby, Interstate 95

runs south, after passing Washington's Mount Vernon, on to the Fredericksburg and Spotsylvania battlefields.

Here is precisely the problem with Disney's America. Wedged between the Potomac and the Blue Ridge Mountains and running up to Harper's Ferry, this part of northern Virginia has soaked up more of the blood, sweat and tears of American history than any other area of the country. It has bred more founding fathers, inspired more soaring hopes and ideals and witnessed more triumphs and failures, victories and lost causes than any other place in the country. If such a past can render a soil "sacred," this sliver is the perfect venue. And it is precisely upon this sliver that Disney and its Hollywood investors propose to release their hordes of commercial developers.

To halt these schemes, a committee of some thirty-five historians and writers has formed Protect Historic America. Members include Shelby Foote, James McPherson, John Hope Franklin, Arthur Schlesinger Jr., David McCullough, William Styron and Tom Wicker; I am also a member. We have been singled out for harsh attacks by some surprising critics. An editorial in the *Times-Dispatch* champions the rights of plain folk against "elitist" historians and their "aristocratic paternalism." It holds that "things intellectuals consider tawdry, appalling and vulgar" are the very things that "provide happiness to lots of jes' plain folks." These sentiments are echoed by *New York Times* columnist William Safire, oddly enough the author of a rather remarkable novel on the Civil War. Granting some reason to protest against "encroachment of any commercial enterprise on park lands," Safire nevertheless calls us "intellectually arrogant when trying to block the construction of a commercial project on the grounds that it might misinterpret the past," and dismisses us as part of "the pretentious amalgam of self-appointed arbiters of culture."

As a matter of fact, most of us are not worried that Disney will "misinterpret the past." With Disney it is pretty much taken for granted. Historians are pretty good at that themselves and spend half their time correcting misinterpretations by fellow craftsmen. What troubles us most is the desecration of a particular region. We agree with Safire that "historians don't own history," but it isn't Disney's America, either. Nor is it Virginia's. Every state and every county in the country sent sons to fight here for what they believed—right or wrong. They helped make it a national heritage, not a theme park.

If the issue is that common people will be denied access to history, the champions of "jes' plain folks" might do well to ponder the success of Ken Burns's T.V. series, "The Civil War." This so-called documentary was a work of art that was produced with the advice, criticism and often the participation of the best historians. It reached and fired the imagination of uncounted millions of plain people without vulgar condescension. Nevertheless, Burns has joined Protect Historic America. His opposition to Disney's America, he says, is "less about the content than its location. It is in the wrong place. It will distract visitors from the real places of his-

tory and it will damage the beauty and character of the area." He also fears it will be engaged in "sanitizing and making 'enjoyable' a hugely tragic moment of our past."

In spite of the money and power and clever strategies and propaganda of the Hollywood invaders and the collaboration of Virginia defectors, the struggle to resist the invasion and defeat the invaders continues. Protect Historic America is only one of fifty-nine local, state and national organizations that have come out in opposition to the Disney plan. Of these, forty have joined the National Trust for Historical Preservation in an open letter to Disney's chairman, Michael Eisner, charging that the Virginia project might "fundamentally change the region surrounding the nation's capital."

Recently, state transportation officials have said that they will study the environmental effect of the numerous road projects the state has subsidized to serve the Disney park. This could delay construction for as much as a year and a half. Meanwhile, appeals have been made for help from the National Park Service, from Secretary of the Interior Bruce Babbitt and from various members of Congress. All of which means, we hope, that the struggle cannot yet be written off as a Second Lost Cause. •

TIRANA POSTCARD

BANANAS

By Slavenka Drakulić

When I first saw that row of military pillboxes, just outside Rinas Airport near Tirana, my reaction was: this is the Albania I had expected, a country turned into a Communist prison. Of course I knew it; everyone did. What I could not have begun to imagine, however, was the sheer breadth of the fortifications. After taking in the first row of pillboxes I thought, O.K. Then I saw the second row, only forty feet away from the first, and I still thought it was fine; after all, an airport needs extra protection. But then I noticed the third row, the fourth, the fifth—all of them forty to eighty feet away from each other. By then I stopped counting—it could not be. The whole country must be covered with pillboxes, each with its own weaponry! My imagination went wild as I tried to picture hundreds of thousands of pillboxes protruding from the ground like strange, poisonous, gigantic mushrooms, turning the whole landscape into a badly painted set for a theater of the absurd.

It was bad enough when reality confirmed my impression. But what really gave me the creeps was that Enver Hoxha, Albania's leader for many years, built at least

How to Be Religious Without Losing Your Marbles



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PAYMENT MUST ACCOMPANY ORDER

1 million pillboxes, each at the cost of a one-bedroom apartment! Obviously, communism in Albania was expensive. But the Albanian revolution, which started in 1991, was not cheap, either.

Once my eyes got used to the pillboxes, another mysterious sight caught my attention: the iron frames of buildings, partly torn down and partly bent out of shape. It took me a moment to realize that I was looking at the remnants of the greenhouses the Albanians had used to grow vegetables for export. When my Albanian friends and I pulled over to examine the structures more closely, I saw, amid sheep eating their salad of weeds, that the ground was covered with what must have been tons of broken glass. There was something deeply disturbing, deeply apocalyptic about this waste and destruction. Who had done it? And why? It happened during the revolution, my Albanian friends explained. People smashed everything they could; they even wrecked factories, like the big bakery on the outskirts of Tirana. They plundered shops, hospitals and schools, in towns as well as remote villages. A mob demolished the greenhouses in about two hours. Some people took pipes or metal frames for household repairs, but mostly it was pure destruction. No one dared stop them, not the leaders of the new democratic parties, not the police. This was one of the saddest things they had ever seen, my friends concluded.

Nothing like it happened in Eastern Europe's other revolutions. Communist monuments were removed, yes; here and there a party building was attacked. But not schools, not factories, not greenhouses. Is it possible, I asked myself, that people here were so foolish that they were unable to understand their own interests and needs? Why such violence? Is this how the Albanians saw their freedom, as freedom to destroy?

It is not possible to comprehend what happened in Albania without going back to the pillboxes. If you constantly live surrounded by them, and their only purpose is to create and perpetuate fear, then when freedom finally comes, it turns fear into hatred and aggression. One can even call it the "pillbox effect": you are not destroying a greenhouse; you are destroying a greenhouse cooperative, the symbol of collective or state property. Even a school or a kindergarten represents the state, whose power to oppress was derived from pillboxes. Thus, the violence expressed was a wish to erase the past, even the material memory of that past. It was as if the Albanians performed a kind of exorcism of the mass evil that had surrounded them. I could almost hear them shouting: "We don't need anything old because we'll get everything new and better. This is what freedom and democracy are all about!"

Where did this promise of a better life come from? As soon as I reached the outskirts of Tirana, the answer became clear: T.V. Even the city's shabbiest apartment buildings have satellite dishes. This is where the idea of a future life came from, as well as the idea of what a revolution is all about: it should bring not only a change in political power, but a better lifestyle. In my opinion,

television advertising, more than anything else, is to blame for the destructiveness of the Albanian revolution. Television ads created the idea of an instant fulfillment of all desires. If only you buy this product, drink that drink, drive this car, you will be as beautiful, rich and successful as the people you see on T.V. One evening in Tirana I watched an Italian soap opera with a friend and her two teenage daughters. The girls were interested in the show, but they really came to life—their faces lit up with joy, in fact—when the ads flashed across the screen. They knew the lines by heart. That evening, it seemed to me perfectly possible that the idea of a better future in Albania was to get into that magic box and disappear on the other side of the screen, like Alice entering Wonderland.

Remember the Albanian exodus on ships, when tens of thousands of Albanians went through terrible humiliation in 1991 just to reach their own Wonderland? Did they really know what was waiting for them? I doubt it. Their flight seemed motivated as much by naïveté as by despair. Their naïveté is the most fascinating and moving aspect of the Albanians. No other country in Europe was isolated to such an extent; no other country was "protected" from reality by 1 million pillboxes. Without any possibility to communicate with the outside world, what could they believe in but beautiful images of the outside world? People here say that during Hoxha's reign one could end up in prison for pointing a T.V. antenna toward Italy. Hoxha was aware of the danger of real political propaganda, spread by this kind of visual seduction. But the ultimate price of isolation and naïveté was high: the self-destruction that came from the belief that a nation could start its life from zero.

The hope of a new life, it seems to me, begins with bananas. Right across from the Hotel Dajti in the center of Tirana, there was a young man with long hair, dressed in jeans and sneakers. At his street "stand," which consisted of a cardboard box on the pavement, he was selling a few bananas, a Mars bar, a cigarette lighter, a couple of boxes of Marlboros and chewing gum. I watched him every day. The fact that he sold only a banana or two a day didn't appear to worry him. In a country where a vast number of people don't have jobs, what could he do but stand there and hope to sell one banana, then buy two, then sell two, then buy four, until . . . well, until he could afford a kiosk.

In Tirana, a kiosk can be any box with a roof, provided it is big enough for a person to stand or sit in. It can be made out of tin sheets or scrap metal, a car trailer or a plastic container. As I watched that guy in front of the Hotel Dajti, I could tell that his dream was to have a kiosk of his own. And why? Simply because in Albania, it represents a quick way of getting rich. In fact, strolling around Tirana, I had a feeling that it will soon turn into another kind of city, with kiosks outnumbering the concrete buildings. Already there are more than 1,000 of them in the downtown area alone.

But is Albania really going to get rich from kiosks? If the young man moves to a fancy kiosk, it will probably be

owned by someone else; the kiosk money will most likely go to the underground economy, not to the state in the form of taxes. And if there are no taxes, there will be no investments, no new jobs, no roads, no pensions, no health insurance. The guy in front of the Hotel Dajti will probably be happy, because he has a job. But with this kind of small business, the state is likely to remain poor.

What Albanians are enjoying now is the theoretical possibility of getting rich, very much like the equally theoretical possibility of buying a bottle of whiskey or a good perfume when you know that you don't have money enough even to smell it. In a way, they are living in an illusion of a capitalist society, as they are living in an illusion of freedom or democracy. The extreme poverty of the country makes it all still a dream. Therefore, Albania looks to me like a dormant, dreaming country, a child that has not learned to take care of itself. And no one can tell how long it will take Albania to recover from the long disease of isolation, poverty and despair.

SLAVENKA DRAKULIĆ, a Croatian writer, is author of the novel *Marble Skin* (W. W. Norton).

Rwanda: a history lesson.

THE HORROR

By Frank Smyth

For most of the world, Rwanda's dark spasm of violence seemed to come out of nowhere. It didn't. Though the bloodiness of the killing fields is unprecedented, the country, at least in its post-colonial existence, has been subject to a number of massacres: some took place more than thirty years ago; others occurred just last year.

In any analysis of Rwanda's tortured modern history, all roads lead to Belgium, which governed the East-Central African country as a protectorate after Germany's defeat in World War I. Until the late 1950s Belgium allied itself with the minority Tutsi, who had ruled over the rival Hutu for centuries. Since Rwanda's independence in 1962, Belgian officials claim to have pursued a policy of neutrality; Rwanda's Hutu leadership disagrees. They accuse Belgium of playing a role in the April death of Hutu President Juvenal Habyarimana, which sparked the current fighting. Hutu-controlled Radio des Milles Collines in Kigali has gone so far as to claim that Belgian troops shot down the president's plane. According to *The Washington Post*, Belgian peacekeepers were in such danger of attack that they stripped their uniforms of Belgium's flag-patch and "traveled in undershirts so they could be mistaken for French."

For Belgium, Rwanda has never been much of a prize. "In the darkest days of World War I," *Time* magazine reported in 1959, "about the only consolation that fell to the Belgians was the capture in Africa of two small and scenically beautiful German territories": Rwanda and Burundi. Belgium ruled "Ruanda and Urundi through a master tribe of willowy African giants named the Watutsis. The Watutsis had been for four centuries the lords of the Land of the Mountains of the Moon, and there seemed little reason why they should not continue to be so."

Nomadic pastoralists, the Tutsi did not come in a sudden invasion to the area southwest of Lake Victoria, but slowly in search of land to graze cattle on. The Hutu were already there farming the same land. By the sixteenth century the Tutsi monarchy was established. The Mwami king was said to be the eye of God; his children were born in the heavens but, by accident, had fallen to earth. The king's symbol of divine power was the *kalinga*, or sacred drum, upon which the genitals of vanquished enemies were hung. The Tutsi dynasty lasted eighteen generations. "They are proud, sophisticated and not particularly energetic. Several times we saw Watutsi lords sitting on bicycles and being pushed by their vassals," wrote historian John Gunther in 1953. "They value women highly, almost as highly as cattle, and live on milk and peas."

Although Tutsi and Hutu have distinct origins as people, with time they came to speak the same language, Kinyarwanda. They also evolved into different classes of the same society. According to historian Alison Des Forges, the Hutu and Tutsi were not so much "tribes or even ethnic groups [but] ... amorphous categories based on occupation: Hutu were cultivators and Tutsi, pastoralists." The distinction had much to do with status: a rich Hutu who owned cattle could become a recognized Tutsi, while a Tutsi who lost cattle could wind up being labeled Hutu. But it also had to do with physical appearance: unlike Hutu, Tutsi tend to be tall, with high cheekbones and sharp facial features. "They are not Negroes even though they may be jet black," wrote Gunther. "In any case, tallness is the symbol of racial exclusiveness and pure blood."

In governing the Rwanda protectorate, Belgium's policy was explicitly racist. Early in its mandate, Belgium declared: "The government should endeavor to maintain and consolidate traditional cadres composed of the Tutsi ruling class, because of its important qualities, its undeniable intellectual superiority and its ruling potential." Belgium instituted apartheid-like identity cards, which marked the bearer as Tutsi, Hutu or Twa (pygmy). And Belgium educated only male Tutsi.

Schooling for Hutus was generally undertaken by private Catholic missions. Eventually, the Hutus began to counter Tutsi notions of superiority with a Christian-based liberation movement. This trend was given further impetus by the growing African demand for independence from Europe. By 1957 the Hutu began to organize politically. Fearful, Rwanda's Tutsi rulers wanted Bel-

gium to give them autonomy quickly, before they lost control.

The Tutsi were too late; in 1959 the Hutu rose up in rebellion. *Time* reported: "Though the Muhututs left the Watutsi women and children alone, they showed no mercy to the males: those they did not kill they maimed by chopping off their feet. They put banana plantations to the torch, set dozens of villages afire, left some helpless old people to burn to death in their own huts."

From then until 1964, it only got worse. The philosopher Bertrand Russell described the Hutu rebellion as "the most horrible and systematic massacre we have had occasion to witness since the extermination of the Jews by the Nazis." According to Des Forges, as many as 20,000 Tutsis perished. An estimated 150,000 Tutsi exiles—known as *Banyarwanda*—fled to Burundi, Tanzania, Uganda and Zaire. Most went to Uganda, where they suffered under the tyranny of Milton Obote and Idi Amin.

This repression eventually drove some *Banyarwanda* to join a guerrilla movement started in 1981 by Yoweri Museveni, a former defense minister under Obote. At least 2,000 *Banyarwanda*, including a tall Rwandan by the name of Paul Kagame, fought with him. After five years of fighting, Museveni and his men took power. Over time at least 2,000 more *Banyarwanda* joined Uganda's army. In October 1990 these *Banyarwanda*, with Museveni's silent blessing, declared themselves members of the Rwandan Patriotic Front (RPF), and, with Ugandan weapons, invaded Rwanda. (Uganda insists the weapons were stolen.) At the time of the invasion Kagame was Uganda's military intelligence chief; he now commands the RPF.

Until the RPF invaded in 1990, Belgium had been Rwanda's main provider of military assistance and training. But Belgium is unique among former colonial states in that its laws now prohibit it from providing lethal aid to a country at war. After Rwanda's war started Belgium continued to provide boots, uniforms and training, but no arms. Consequently, President Habyarimana turned to France, which had signed military cooperation pacts with most of Africa's twenty-one Francophone regimes. (Because Rwanda is an ex-Belgian protectorate, French is an official language along with Kinyarwanda.) Spurred on by the fact that the RPF was English-speaking and backed by English-speaking Uganda, France rushed in weapons, munitions, paratroopers and advisers to keep Rwanda's government from falling.

While France helped the predominately Hutu Rwandan army repel the 1990 invasion, Rwanda's hard-line Hutu leaders responded by overseeing the killing of Tutsi civilians. Although fighting was limited to northern Rwanda, soldiers staged a battle in Kigali, and used it as a pretext to arrest up to 8,000 people, mostly Tutsi. There were beatings, rapes and murders. Rwandan intelligence distributed Kalashnikovs to municipal authorities in selected villages. They gathered with ruling party militants, most of whom carried staves, clubs or machetes. Sometimes holding cardboard placards of Habyarimana's portrait above their heads, they went field-to-field

in search of Tutsi, killing thousands.

Of course, the RPF wasn't innocent. An international human rights commission report found them responsible for abuses, including executions of up to several hundred Hutu civilians and military prisoners. In response, supposedly pro-Tutsi Belgium withdrew its ambassador, Johan Swinnen, for two weeks in March 1993. "When I returned we put pressure on [all sides] to react to the report," he said last June in Kigali, "because the future of the country . . . depends on it."

At the same time, however, France continued to defend the Hutu regime. "Civilians were killed as in any war," said Col. Bernard Cussac, France's ranking military commander in Kigali. Ambassador Jean-Michel Marlaud was more diplomatic. "There are violations by the Rwandan army," he said. "[But] more because of a lack of control by the government, rather than the will of the government." But Belgian officials said that the French were undermining collective diplomatic efforts to influence the regime. "If they would only use their military presence as a lever," said one. "I would like to see them take a more outspoken policy on democracy and human rights." France never did.

Nevertheless, two months later, in August 1993, President Habyarimana and RPF Commander Kagame signed an agreement to end the war. Habyarimana had already begun to share power with Hutu leaders outside his party. Until then he had run the country with a small group of men, most of whom were related to either him or his wife. Known as the Akazu or "Little House" (as in: the house that surrounded the president), these men controlled the elite Presidential Guard and Radio des Milles Collines. When Habyarimana let opposition members into his Cabinet in 1992, the Little House countered by forming militias called *Interahamwe*, or "Those Who Attack Together" and *Impuzamugambi*, or "Those Who Have the Same Goal."

Soon after, several Hutu opposition leaders were assassinated; terrorist attacks became common. Bombs exploded in public markets, land mines were placed on roads away from fighting. Though no group ever claimed responsibility, all non-French Western diplomats in Kigali suspected the Little House. "We told them it is in your interest to respect human rights," said one Belgian diplomat, "and if you don't, we will not be silent."

France and Radio des Milles Collines, however, blamed the RPF. Col. Cussac said his staff had traced the serial numbers of land mines used in attacks to Belgium, which had sold them to Libya, which in turn had sold them to the RPF. Cussac said Belgium could verify these facts. Belgian officials in Kigali declined comment, referring the query to the Belgian Foreign Ministry in Brussels. There, its spokesman, Ghislain D'Hoop, said that Belgium had sold no land mines to Libya in decades.

In Rwanda now, Belgium and France are even more at odds. Belgium's foreign minister, William Claes, says Habyarimana was killed by Hutu extremists upset at his liberalizations. The rocket that struck his plane came

from the Kanombe army base just east of the Kigali airport; further east are the Presidential Guard headquarters. In April Paris received two of the "extremists"; Brussels denied them visas.

After the president's plane went down, one of the first things Hutu Presidential Guard soldiers did was come looking for Prime Minister Agathe Uwilingiyimana, also a Hutu. Hours later, Uwilingiyimana and three of the peacekeepers were found three blocks away, shot dead. A few hours later, at the Kanombe army base, a Canadian general found the remaining seven peacekeepers. They had been hacked to death by machete.

Belgians are upset at their loss of men in Rwanda, and many blame France. They have a point. In arming the Hutu government, France pursued its own linguistic vision while ignoring Rwanda's history; along with Tutsi and Hutu victims, Belgium paid the price. "Is there tension now?" repeated Brig. Gen. André Desmet by telephone from the Belgian Embassy in Washington. "I will be very cautious in the answer." He paused. "There are maybe different approaches."

FRANK SMYTH is author of *Arming Rwanda*, a Human Rights Watch/Arms Project report.

What David Wilhelm has done to the Democrats.

THE PARTY'S OVER

By Weston Kosova

Last Tuesday wasn't exactly Joe Prather's shining moment. In losing Kentucky's special House election to succeed the late William Natcher, Prather surrendered to the Republicans a seat held by the Democrats for 129 years. It hadn't been an easy race. Natcher's district is in the central part of the state, where voters are not known for their love of President Clinton (George Bush took the district in '92). But if the vanquished candidate thought he could find solace in the embrace of the party, he was sorely mistaken. "What we have here is a failure of tactics," fumed Democratic National Committee Chairman David Wilhelm in a statement to reporters. "The first failure was a lackadaisical campaign in which Joe Prather was caught flat-footed, rejected offers of financial assistance and explicitly refused party help."

The point of Wilhelm's diatribe was clear enough. In offering up Prather as a preseason sacrifice, Wilhelm was parroting the White House line, warning other Democratic hopefuls of the perils of straying too far from the president in November. But Wilhelm didn't end his critique there. The DNC chief went on to belittle Prather personally. "Look, I used to be a campaign manager and the earliest lesson I learned is that when you're on the defensive, backpedaling, you're losing. . . . As best as I can tell, Joe Prather got into a defensive crouch and stayed there."

Wilhelm's broadside was a strange sight: a party chief bludgeoning a candidate from his own camp. After all, Wilhelm is supposed to *prevent* Democrats from looking like fools, not lead the jeers. But Wilhelm had a reason for swinging at Prather. Prather is a liability. Not just to the party and the president, but to Wilhelm personally.

He can't afford many more losses on his watch. Since Clinton was elected Democrats have been beaten in mayor's races in New York, Jersey City and Los Angeles, governor's races in Virginia and New Jersey, a Senate race in Texas and congressional races in Oklahoma and now Kentucky. With November approaching, Wilhelm is on edge. The party of the president usually fares poorly in midterm congressional elections, and Wilhelm has plenty to fear from a potential Democratic trouncing in the fall. Congressional Democrats are sweating out predictions that as many as twenty-five seats may be lost in the House and four in the Senate. If Republicans gain working majorities, they could force major changes in Clinton's legislative plans, including health care and welfare reform (see "The Tilt" by Fred Barnes, *TNR*, June 6). And though the party chairman has little if any influence over how elections turn out, it's Wilhelm who will die the scapegoat's death if the Democrats do badly.

Wilhelm has what is arguably the worst job in Washington. The DNC chairman isn't just chief pitchman and fund-raiser for the party, but sanctioned whipping boy. He's expected to take the rap cheerfully for the shortcomings of his betters. Members of Congress harp on him to provide political coverage in their home districts during tough partisan battles and to show up with cash on hand in election years. State party leaders clamor for more money and more autonomy. Big-dollar union and PAC contributors yank their long tethers for access.

Still, a year and a half into the job, Wilhelm is making the worst of a difficult position. Trained as a back-room strategist, he lacks the diplomatic and political skills that Clinton needs. As in so many other areas (foreign policy

springs most immediately to mind), Clinton's fear of losing control led him to appoint a second-stringer in a post that really required a star. "If they really wanted a big heavyweight political operation, I don't think David could do that for them," says one Clintonite who knows Wilhelm well. "He's a nice fresh face and he's a decent talking head, but he's no Ron Brown." Nor is he a big-picture man like Lee Atwater, who not only ran the Republican party but choreographed Bush's public moves and stage-managed his image. As Clinton's campaign manager, Wilhelm left the wide-angle shots to James Carville and George Stephanopoulos while he concentrated on the minutiae. And on the stump, Wilhelm's current counterpart, Republican National Committee Chairman Haley Barbour, runs rhetorical circles around him. "David's problem is that he has no overall vision of what he wants to do," says a former DNC staffer. "It's sort of like *The Candidate*. He woke up one day and said, 'Holy shit, I'm the party chair.'"

Wilhelm has at least one part of the job down pat: the foul-weather smile. "I love this job!" he croons, smoothing a hand over his striped rep tie and matching suspenders. "I love this job!" Leaning into the conference table of his third-floor office on South Capitol Street, his head dividing two picture windows that frame the Capitol dome and the Washington Monument, the chairman is adamant about his enthusiasm. "We are making a *difference*," he says, bobbing back and forth in his chair and pounding the table with his fist to italicize key words. "We are up on the air with *ads*, we are involved in *every major* state-coordinated campaign in this country. We are *real partners* with the congressional leadership when it comes to races. We are doing *great stuff* and I'm *proud* of it." Beneath the table, the chairman's leg sweeps around in a wide arc, casting about for the black penny loafer that has taken leave of his foot.

"You know," he continues, "one of the things that grates on me is I'll have people come to me and say, 'Oh, God, you know, you have this terrible job, you know, and you get blamed for a lot of stuff.' And, you know, I love this job because I get to go out there, make the case, be the advocate for things that I believe," he says. "You sometimes become an easy target, but that's not the point.... I mean, three years ago I was a precinct captain in Chicago's 44th ward."

Wilhelm seems genuinely awed that the somewhat haphazard path he took from the Midwest eventually deposited him at the DNC at the age of 36. Wilhelm grew up in Athens, Ohio, in the 1960s, where his father, an East German immigrant, taught geography at Ohio University. In 1976, in his sophomore year at O.U., he got his first taste of presidential politics, driving around the state as a delegate recruiter for Jimmy Carter. After graduating (magna cum laude) he bounced around for several years. He spent the summer as an intern in the Illinois State Assembly and went to Harvard's Kennedy School for a master's in public policy. In 1979 he came to Washington as an intern for Senator Howard Metzen-

baum, but left to take a job as a researcher at Citizens for Tax Justice, the AFL-CIO-backed think tank.

Wilhelm left Washington in 1984 when Forrest Claypool, a friend from his days at the Illinois General Assembly, enticed him to take a job as field director for Paul Simon's long-shot Senate campaign in Illinois. Simon won, and Wilhelm returned to Washington as director of Citizens for Tax Justice just as the debate over tax reform was heating up. At CTJ, he penned reports about the evils of corporate tax avoidance. But he didn't stay for long. The following year his friend David Doak introduced him to Joe Biden, who was planning a run for president. The two hit it off, and Wilhelm signed on as campaign manager for Iowa. "Well, that fell apart pretty quickly," Wilhelm laughs. "You know, everyone asks me, 'Where were you in 1988?' And I say, 'Well, I can tell you where I was in 1987.'" (The campaign wasn't a total loss. In Iowa, Wilhelm met another Biden staffer, Degee Dodds. They married in 1989. During the '92 campaign she worked as Clinton's personal assistant.)

His candidate plundered by plagiarism charges, Wilhelm decided to make a go of politics himself. Returning to Ohio, he ran for Congress in his hometown of Athens. But that campaign ended almost as quickly as Biden's. Wilhelm was beaten in the Democratic primary. A month later he got a call from Bill Daley, a friend from the Biden campaign, who asked him to come to Chicago and manage his brother Richard's mayoral campaign. Once again, Wilhelm packed his bags. He settled into Chicago after the Daley win, becoming a ward precinct representative and opening a political consulting firm.

Wilhelm was introduced to Clinton in 1991 at a Chicago political event. His timing was good: Clinton was searching for a campaign manager. He clinched the position in a meeting with Clinton aide Eli Siegel. "He asked me where I grew up," Wilhelm says, "and I said, 'Athens, Ohio.' And he says, 'Athens, Ohio! I sponsored the national jigsaw puzzle contest in Athens, Ohio!' And I go, 'I'm gonna get this job, I'm gonna get this job!'"

As campaign manager, Wilhelm describes his role this way: "I did everything that Carville and Stephanopoulos didn't do." It's a fairly accurate take. Wilhelm may have held the higher title, but in duties and influence, Deputy Campaign Manager Stephanopoulos clearly outranked him. While Carville and Stephanopoulos handled the day-to-day operation of the war room in Little Rock and ran the larger campaign, Wilhelm kept watch over the state campaigns, putting his precinct-honed political skills to work stamping out smaller fires and cracking the whip over junior troops. "He was invaluable," says Stephanopoulos. "He was sort of the field admiral."

Wilhelm won friends by making himself available to state campaign organizers. "He was a troubleshooter," says Celia Fischer, who ran the Pennsylvania campaign and later went to work for the DNC (she quit last July). "If I ran into a political problem that I couldn't solve on my own, I wouldn't call George and I wouldn't call

James, I'd call David. And he'd work them out." Wilhelm's memorable contribution to the campaign was the Clinton/Gore bus trip, a political coup for which everyone in Little Rock at the time has seemingly tried to claim credit. Wilhelm stayed on after the election to manage the transition. When Clinton offered him the DNC, he accepted immediately. "This was one of the jobs that I really thought would make sense for me," he says.

He should have thought twice. A glance at Wilhelm's political experience shows that he could have been a good choice for any number of jobs within the administration's political operation. DNC chairman is not one of them. Wilhelm's obvious strength is as a micro-strategist, plotting in private. Instead, he took a post that not only requires him to plan grand strategy, but to do it in public. As one Democrat who knows Wilhelm well put it: "David has no one to follow. And he's a much better follower than he is a leader. He needs someone watching him, telling him what to do."

It didn't take long for his shortcomings to show. Wilhelm strode into the DNC's headquarters with a political agenda that rivaled the president's in its ambition. As party chair, he vowed to rebuild the crumbling party edifice from the ground up. This was no small task. The Reagan and Bush

years had been dismal and lean for the DNC. By the mid-'80s contributions had slowed to a trickle. Meanwhile, the Republicans, after twelve years in the White House, were flush with cash. But with both houses of Congress and the White House now in the right hands, Wilhelm pledged to change all that. No longer would the DNC merely act as party beggar, gathering what alms it could from wealthy Democratic stalwarts and doling out rations to the various arms of the organization. Fresh from the buzz of the campaign, Wilhelm, along with his staff of hungry young New Democrats, would transform the party into a vital political center funded by a vast grass-roots network of small donors. Gone would be the days of corporate and PAC rule. Contribu-

tions of \$200 and less would fill the party's coffers. Wilhelm's early speeches as DNC chair were upholstered with heady catchphrases about a grass-roots revival and the New Democratic revolution.

It hasn't quite turned out that way. Wilhelm lacks the necessary personal tools. His inexperience as a face-man is painfully evident in his speeches and television appearances. One-on-one, Wilhelm is pleasant and affable. But stand him up in front of an audience and his tendency for political boilerplate gets the better of him. His attempts at folksiness ring false. Jokes drop

out of his mouth like dead birds. Take, for instance, the speech he gave last month at his alma mater:

Passing health care reform will be difficult. It will be hard. There will be ups and downs. People will get mad at each other. Big change is always hard. It is hard because contests get played out between those who have a stake in the status quo and those who are arguing on behalf of future beneficiaries. And if there is one thing I have learned in the fourteen months since I have been the chairman of the Democratic National Committee, it is that it is tough to organize future beneficiaries. It is the toughest thing to do.

Wilhelm has also had trouble winning the confidence of important party leaders. During the bloody budget fight last year, many congressional Democrats took a beating from constituents for sticking with Clinton's economic package. House Majority Leader Richard Gephardt

pinned the blame on Wilhelm, accusing him of failing to mobilize local political support to protect Democrats in vulnerable districts. Gephardt didn't mince words. He called Wilhelm's operation "a disaster."

It wasn't the only time he ruffled the congressional leadership. In March he inspired the fury of House Speaker Tom Foley with a speech he gave at a Cleveland Democratic convention in which he pronounced Bob Dole, Al D'Amato and Phil Gramm guilty of "ethical misbehavior." In an appearance the next day on "This Week with David Brinkley," Foley angrily denounced Wilhelm's speech. "Frankly, I don't think it's a good idea for us to start exchanging criticisms of individual senators or House people," Foley said. "I



DRAWING BY VINT LAWRENCE FOR THE NEW REPUBLIC

don't do it and I don't approve of it."

Wilhelm dismisses the incidents as minor skirmishes. "I was there and I took the wrath and I took the hits," he says. "That's part of my job." Even so, his voice betrays a hint of irritation at the Gephardt episode. "I'll take my fair share of the blame, but we were working as hard as we knew how on behalf of the president's plan," he says. "I think we were in a very tricky position." Wilhelm claims he and Gephardt have since patched things up. But the majority leader doesn't count himself among Wilhelm's fans. "Relations with the chairman are cordial, but I wouldn't call them

friendly," says an aide for a ranking House Democrat.

Wilhelm hasn't fared much better as a leader himself. Despite his nice-guy reputation, he has stumbled badly as a boss. The DNC staff has been in a continuous game of musical chairs, with major upheavals occurring every couple of months. Not a single one of Wilhelm's top ten staffers a year ago is still with the DNC. Some were fired, but many quit. Wilhelm says turnover is "just part of life," and insists that "I retain good relationships with almost every single person who has left here."

Some former aides see it differently. "It was this con-

Dud Ranch

At the start of 1993 everyone predicted heady days for the Democratic Party in Texas. Bill Clinton, the ex-governor of a neighboring state, would be entering the White House, and his politics seemed centrist and Southern enough to pass muster. One of his close pals was Governor Ann Richards, an immensely popular figure; she had a strong shot at re-election in 1994. Two of the state's best-loved figures, Lloyd Bentsen and Henry Cisneros were tapped as Cabinet secretaries. To further solidify the Democrats' influence in Washington, Richards would find a hot young pol to fill Bentsen's vacant Senate seat.

At least that's what was supposed to happen. A year and a half later Texas Democrats are in disarray. The leftward lurch of Clinton's first months in office pushed many officials out of the party: since Inauguration Day, twenty-six Democratic office-holders have defected to the GOP, more than in any other state. A second Richards term is in question: she's in a tough fight with GOP candidate George W. Bush, the son of the former president. The departure of Bentsen and Cisneros has left the party with too few electable candidates. And the Democrats, thanks to the ineptitude of interim Senator Bob Krueger, never did hold onto the Bentsen seat; it now could be solidly GOP for years to come.

What's behind the party's precipitous fall? Part of the problem is time. Many of Texas's legendary "Yellow Dog Democrats"—Democrats who'd sooner vote for a yellow dog than a Republican—have died off, notes political consultant George Christian, who was press secretary to Lyndon B. Johnson. Others have been turned off by a stream of increasingly liberal candidates at the national level, such as George McGovern and Michael Dukakis; in voters' minds, the party of

LBJ and Sam Rayburn is dead. Also, the economic boom years of the 1980s brought a lot of Northeastern Republicans to Texas. All that, combined with the rise of Ronald Reagan in the 1980s, created a GOP surge: since 1978 the number of Texas Republicans in elective office has jumped more than 1,000 percent, from 92 to 930.

Another problem is the president himself. Despite his close ties to top Texas officials, Clinton isn't popular among the voting public: he lost there in 1992—the only Democrat ever to win a presidential election while losing the state. Today, his disapproval rating in Texas is 59 percent. With numbers like that, he can't possibly help his fellow Dems—and he may be a drag.

Consider what is happening in this fall's Senate race. Incumbent Republican Kay Bailey Hutchison will face Democrat Richard Fisher, a Dallas businessman who can't figure out what to do with the president. During his primary against ex-State Attorney General Jim Mattox, Fisher distanced himself from Clinton. After all, he had been Ross Perot's foreign policy adviser and had applied for a job in the Bush administration. On the day after his nomination, however, Fisher embraced the president—until conservative Democrats balked. Now, Fisher's campaign has cooed to the idea of appearances with Clinton. A Fisher spokeswoman cites the \$200,000 fee for a presidential visit—this from a candidate who spent \$1.4 million of his own money in the primary.

Initially, Democrats thought Hutchison could be beat in 1994. A former state treasurer, she was indicted last year for doing political work on state time, a violation of Texas ethics laws. But she was acquitted. And although Hutchison has made miscues in the Senate—many Texans did not like her vote to censure Adm. Frank Kelso after the Tailhook scandal—she does not suffer by comparison with Fisher, a leaden campaigner with no identifi-

able platform. Fisher's spokeswoman says he hasn't talked policy because "voters aren't in the shopping mood yet," but that he's consulting with Paul Tsongas's Concord Coalition. Tsongas, of course, got only 18 percent in the Texas primary in 1992.

The outlook for the governor's race is a bit better, though Richards has her hands full with Bush, the general partner of the Texas Rangers. Back in 1990 the salty, big-haired Richards put together a coalition of traditional Democrats and Republican women to defeat klutzy archconservative Clayton Williams. This time, however, she faces the youthful, good-looking, moderate scion of a wildly popular family. Bush has hammered Richards on her attempts at education reform, which have resulted in a property tax hike, and her creation of an insurance reform commission, which has not been able to prevent an increase in premiums at twice the rate of inflation. The latest Mason-Dixon poll has Richards up by a mere percentage point; the latest Texas poll has her up by seven points. Either way, "we'd like those numbers on October 1," says Republican consultant Karl Rove.

Further down the ballot, the GOP is confounding the Democrats with a slate of diverse candidates. Aside from Hutchison, GOP women are running in four statewide races. The most interesting of these pits state Comptroller John Sharp, a rising Democratic star, against attorney Teresa Doggett, a Harvard-educated African American familiar to the Texas GOP: her husband is John Doggett, who testified on behalf of Clarence Thomas in 1991.

Although Doggett has hired Republican consultant Ed Rollins to run her campaign, her chances of victory are slim. In other words, the Democrats won't be totally routed—which, in an otherwise dismal year, is about the best the party can hope for.

CHRISTOPHER PRAWDZIK

stant, ongoing shake-up," says one DNC staffer who quit in frustration. "Every two months or so, another one of us would leave." Another former aide, who claims not to hold any ill will against Wilhelm, adds: "What made people nervous about David was that every time something seemed to go wrong, even if it was his fault, somebody seemed to leave. . . . Everyone says he's such a loyal, nice guy, that he jumps off the bridge. But David doesn't actually ever jump off the bridge. Someone else always does. And eventually they were all gone."

Part of Wilhelm's troubles stemmed from the inability of the White House to figure out just what it wanted the DNC to do. For example, at first Clinton pushed for a DNC-run health care campaign. The project had its own offices and staff. But earlier this year the White House radically pared back the DNC's operation, preferring to hand over control to Senator Jay Rockefeller's health care reform project. Wilhelm's role has been reduced to buying T.V. ads. "There is no clear idea in the White House of what the larger political agenda should be," says a former DNC employee. "There is no one in charge of the overall theme of Clintonism." Meanwhile, Wilhelm's attempts at drawing small contributors were a bust. On paper, the results looked impressive. Last year, the DNC took in nearly \$9 million in "non-itemized" contributions—donations of less than \$200. That's more than the DNC had ever raised before. But in order to do it, Wilhelm had to send out \$8 million in direct mail.

By the end of the year morale at the DNC was so low that it was rumored Wilhelm was on his way out. Clinton was devastated by the Democratic losses in November. Wilhelm was summoned to the White House for a dressing down. Reports at the time said Clinton gave Wilhelm sixty days to get the DNC together, or he was out. (Wilhelm denies the meeting ever took place.)

The November defeats left Wilhelm spooked. He has been, to use his own phrase about Prather, in a defensive crouch ever since. Wilhelm has scrapped the grass-roots agenda and let go the last of the top Clintonites on his staff. In their place, he has hired a troika of new lieutenants, all far more experienced than the Clintonites they're replacing, and all paleoliberal: Debra DeLee, who ran the governmental relations office at the National Education Association, is the new executive director; Don Sweitzer, a political consultant with strong labor ties, is now political director; and former Jimmy Carter and Gephardt marketing wizard Terry McAuliffe is chief fund-raiser. From a cash flow point of view, the new approach is working. During the first three months of this year the DNC brought in \$10.3 million, the largest amount ever (only \$1.5 million came from donations less than \$200). Wilhelm predicts he'll meet his goal of \$40 million by year's end. Of that, he'll pump \$5 million into health care ads.

Wilhelm admits that in the interest of cashing in, he has backed off from his earlier *New Dem* rhetoric. "Do I think that some of what I initially said is maybe tempered by political reality? There may be something to

that." And for the elections push, he'll pour \$7 million in DNC funds into state campaigns. "That's five times, six times what the Democratic party has ever done before in direct assistance," he says. "You know, those kinds of things roll off your tongue but it is a big deal."

He's right. It is a big deal. Unfortunately, it's not as big a deal as the one the Republicans have got. The money rolling into the DNC may be impressive by DNC standards, but Haley Barbour is taking in even more. In the first quarter of this year the RNC raked in nearly \$11.5 million. It's no surprise that the Republicans raised more money than the Democrats; they traditionally have. But for the past twelve years, they did it with the best marketing tool of all: a sitting president. Now that the Democrats have the White House and Congress, why isn't the DNC raking in more green?

Simply put, the RNC's fund-raising operation badly outclasses the DNC's. The mainstay of both the RNC and DNC operations is still direct mail. But the RNC has also plunged money into other media. Last year the Republicans opened a \$1.5 million television studio that beams "GOP-TV" to more than 160 local cable stations in forty-two states. At the beginning of the year the RNC also launched a slick, bimonthly magazine, *Rising Tide*. Meanwhile, the DNC's annual report highlights the party's efforts to "reach out to talk show hosts with daily talking points and available guests" and the "Democratic Forum," a user group on CompuServe.

The important difference is that the GOP is catering to its constituents on their home turf, making Republican themes easily available to people who are disposed to giving money, but might not otherwise take the initiative. The RNC is making headway into precisely the sort of grass-roots venues that Wilhelm pays lip service to, but abandoned at the first sign of personal danger. Last year the RNC raised more than \$29 million in donations of less than \$100—78 percent of its total revenues. The DNC, by contrast, is stagnating. Those who aren't on the DNC's mailing list don't even know it exists. That may not have a dramatic effect on the health of the party in the short run. "But in the long run one could argue that the DNC, by not competing with the RNC, is falling further and further behind," says a Democratic strategist knowledgeable about the DNC. "They're still making Yugos and the RNC is making BMWs. If the Republicans get back the White House, how can the Democrats expect to compete?"

For now, the official White House line is that Wilhelm is growing into the job. Wilhelm meets with Clinton at the White House every couple of weeks, and talks with White House adviser Harold Ickes daily. "I would not say he is what you would call an activist, prescient administrator," says a White House aide, "but he is a good political strategist." Even so, asked to describe Wilhelm's role in defining party politics, the aide's answer is "marginal." Ickes is slightly more generous in his assessment. He says Wilhelm is "very much involved in helping to shape the president's agenda, generally." That may be true. But if the Democrats suffer a rout this fall, Wilhelm has no one left to fire. •

BOOKS & The Arts

Stanley Kauffmann on Films

Surprise Packages

A plague of twists is upon us. What is a twist? A plot development that surprises us and throws a backward light on what has happened up to that point. For instance, in *The Verdict* (1982), adroitly directed by Sidney Lumet and with pungent dialogue by David Mamet, there's a twist about two-thirds of the way along. Charlotte Rampling plays a woman presumably unattached, who begins an affair with Paul Newman, a lawyer embarked on an important case. Newman becomes deeply involved with Rampling. Then we suddenly learn that she has been hired by the law firm opposing Newman in the case, to spy on him and report to them.

Most twists fulfill only one of the two requirements: they surprise us, but they don't throw helpful backward light. Usually, as in *The Verdict*, that light only reveals plot holes. Early in the film Rampling has gone to a bar that Newman frequents, makes no move toward him, but (we see later) hopes that he will pick her up. He does; but in the light of retrospective reason, we are asked to believe that a huge law firm would hang a good deal of their defense in a major case on Newman's libidinous whim. (Suppose he'd had a date that night; or Rampling didn't appeal to him.) We make concessions to improbability—up to a point, anyway—in order to be getting on with the story.

Another trouble with twists, from this column's point of view, is that they can't be explicitly criticized at the time the film first appears. I had to choose above an example from a film twelve years old. If I had spelled out that faulty twist in my

review in 1982, the republic would have risen from coast to coast in outrage at having the surprise spoiled. Apparently relying on the invisible gag that binds film critics, film plotters twist away as wildly as they choose.

That license has been stretched almost to bursting in two new pictures. *Widows' Peak* (Fine Line) is set in an Irish village in the 1920s. The plot concerns a wealthy young American widow, Natasha Richardson, who settles in this socially stratified village and causes ructions—especially since the social doyenne of the place, Joan Plowright, is haughty and the village already has an eccentric in Mia Farrow. Long before it finishes, the screenplay by Hugh Leonard becomes silly, forsaking neat village knifework for coarse cliché, but in the very last sequence there's a twist that retroactively makes the whole picture ludicrous and stupid.

The press package for the film asks critics to "use discretion in discussing its ending." I wish Leonard had used some

discretion in writing it. Again, as in *The Verdict*, we're asked to believe that an intricate scheme was laid, involving much money and trouble, with the whole thing depending on a chance encounter in order to get started.

Grant *Widows' Peak* a few Irish nuggets along the way. For instance, when the slightly bibulous village dentist is about to extract a tooth, he looks in the patient's mouth, says "local anesthetic" and takes a swig of whiskey. But the nuggets don't make up for the disappointments, which include some sadly inadequate photography of County Wicklow. And after *that* letdown, to be bludgeoned by the dumb final twist!

An even worse offender in the twist department is *Maverick* (Warner Bros.). William Goldman's screenplay derives, of course, from the T.V. series (I'm one of the perhaps eleven Americans who never saw a single episode), and it has very many more twists than *Widows' Peak*, or any other recent twister, because it's so doggedly determined to be jaunty.

The plot—too workmanlike a word, really, for this contraption—has *Maverick*, played by Mel Gibson, as a gambler in the Old West trying to raise the entrance fee for a big-prize poker tourney. During the course of his jauntings he encounters a lady gambler, an unlikely character played by the entirely unsuitable Jodie Foster; he also encounters a marshal played by James Garner, the original T.V. *Maverick*. Twist after mechanical twist is disclosed as the film skitters along, and I can't disclose any of them.

Well, perhaps one. *Maverick* is amid some wagon-train people who have been attacked by "Indians"—quotation marks because they are really white men disguised as Indians. Suddenly a long line of mounted real Indians appears on a ridge, a typical John Ford entrance signifying danger. However, *Maverick*, who speaks their language, addresses their chief; and the subtitles tell us that the two men are old friends. They josh each other for a bit; then at *Maverick's*

FILMS WORTH SEEING

Four Weddings and a Funeral. Hugh Grant romps through those five British ceremonies, attended most of the time by Andie MacDowell. Witty and humorous. (Reviewed 4/4/94) **Sunday's Children.** Ingmar Bergman as boy and mature man, vis-à-vis his father. His subtle screenplay is touchingly directed by his son, Daniel. (5/16/94) **Thirty-Two Short Films about Glenn Gould.** Perfect match of style and subject. François Girard finds thirty-two unique ways to glimpse the pianist's quirks and qualities. (4/25/94) **White.** Krzysztof Kieslowski's picaresque tale of a Polish hairdresser's funny-sexy attempts to recapture his divorced French wife. Set, candidly, in Paris and Warsaw. (6/13/94) —SK

request, the Indians perform a little token hostility—to make him look good.

O.K., let's ignore the unlikelihood that *Maverick* would know their language so well (tribe unspecified) or that the chief would cooperate in a harmless prank to please white men. Still, by the time this scene comes along, we are so twist-twisted that we just wait for this particular twist to pop up.

Maverick has two points of interest. The town where the story begins, on the side of a hill leading down to a lake, is attractively designed by the art director, Daniel Dorrance. And Gibson continues to give pleasure. I can't see him these days in one of his action whoop-ups without remembering that he did a non-ridiculous Hamlet for Franco Zeffirelli. His appearances in this sort of stuff thus afford an added chuckle.

But, oh, those twists. After *Widows' Peak* and *Maverick*, I was ready for a film of a Beckett play, in which, plot-

wise, nothing happens at all.

Instead, I got **The Cowboy Way** (Universal), which is just one big plot twist. Three years ago *City Slickers*, about some New Yorkers plunged into cowboy life, was a smash; and we'll soon have *City Slickers II*. So, soon after the *Slickers* success, at some mogul meeting in Movie-land, presumably someone said, "Say, how about...?"

And here it is. A twist on the *Slickers* gimmick: that situation reversed! Two cowboys in New York! Never mind the precedents for this juxtaposition, stretching back from *Crocodile Dundee* in Manhattan to *Tarzan* in London. *The Cowboy Way* is plumped on us between the first *City Slickers* and the forthcoming one in the expectation that we will spot and enjoy this twist-by-reversal.

There's nothing else to say about this picture except that there's nothing else to say about it. •

Court and Spark

By ANDREW KULL

Crusaders in the Courts: How a Dedicated Band of Lawyers Fought for the Civil Rights Revolution by Jack Greenberg

(Basic Books, 634 pp., \$30)

Making Civil Rights Law: Thurgood Marshall and the Supreme Court, 1936-1961 by Mark Tushnet

(Oxford University Press, 416 pp., \$35)

The civil rights movement ended in success a generation ago, much as the anti-slavery movement, a century earlier, concluded with emancipation. We have been reluctant to let it go. The most contested racial issues of today, involving interest-group politics among racially identifiable groups, are commonly dressed in the mantle of "civil rights." This is not because there is anything dishonorable about interest-group politics, but because "civil rights" makes a more attractive banner than, say, "proportional representation." "The struggle continues," declared Jesse Jackson not long ago to 700 demonstrators in Augusta, Georgia. (The occasion was a rally in support of Georgia's policy, adopted under pressure from the Department of Justice, of drawing congressional

districts to facilitate the election of black candidates.) "We must never say 'the civil rights movement' in the past tense."

The refusal to distinguish yesterday's causes from today's may be rhetorically attractive, but it deprives us of needed perspective. Jack Greenberg and Mark Tushnet recall, in their new books, the final, victorious phase of the legal battle for civil rights: a decade and a half that witnessed the end of segregation and the enactment, after a century's delay, of meaningful federal civil rights legislation. No irony is involved, even in today's tortured racial climate, in speaking of the battle as "victorious." Like the abolition of slavery, the realization of civil rights for black Americans was a monumental and irrevocable political achievement that revealed, at the very moment of success, a road ahead as arduous as

Stephen Breyer



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the one that had just been traveled. Civil rights, "equality before the law," no more assured "equality in fact" than did emancipation. And this realization has been long and unwelcome.

From 1949 to 1984 Greenberg was a lawyer with the NAACP Legal Defense and Educational Fund, the organization that pioneered the notion of institutionalized litigation for political ends, becoming the model for our conception of a civil rights or "public interest" law practice. The history of the LDF is the history of modern civil rights litigation. Its immediate antecedents are found in Charles Hamilton Houston's rebuilding of Howard University Law School in the early 1930s with the avowed objective of training "social engineers," "the professional cadres needed to lead successful litigation against racism as practiced by government and sanctioned by law"; and in the contemporaneous decision of the NAACP to challenge the practice of segregation by means of a concerted campaign of litigation. The NAACP hired Houston to head its legal department. Houston hired Thurgood Marshall, one of his students at Howard, and when LDF was formed (for tax reasons) as a separate entity in 1940, Marshall became its first director. Marshall resigned in 1961 to become a federal judge, and Greenberg succeeded him as LDF's director, a position that he held for the next twenty-three years.

The lingering expectation that lawyers and judges should be at the heart of the movement for racial justice reflects the experience of a century in which black Americans were denied even the strictly legal equality that the Constitution (with the addition of the Fourteenth and Fifteenth Amendments) appeared to guarantee. The evident contradiction invited a resolution by litigation. The best part of Greenberg's book, an engaging and informative memoir of his years with LDF, describes the last period in our history when the legal issues of race were that simple.

There was an inspiring imbalance between the resources available and the task to accomplish. Starting work at LDF in 1949, Greenberg became the fifth lawyer on a staff that had grown, by 1961, only to seven. At the time LDF's five lawyers were probably the only ones in the country to be privately employed in a full-time civil rights practice. (With the exception of some fledgling civil rights commissions at the state level, government agencies concerned with civil rights did not exist.) The young LDF staff (Marshall was 41, Greenberg was 24, the others were about 30) had the field virtually to themselves.

The legal tools at hand invited a challenge to racial discrimination by government. Constitutional law restricts "state action" (state or federal), not private conduct. Much of the discrimination that colored everyday life as the 1950s began—the exclusion of blacks from jobs, housing, hotels, restaurants, amusement parks or lunch counters—could not be successfully attacked without the legislation of the 1960s that would make such exclusion illegal. But LDF's immediate goal, which was freedom from state-sponsored racial discrimination, gave it plenty to do.

Southern states (as well as Congress, in its government of the District of Columbia) provided public education in separate, unequal facilities. A combination of law and custom imposed segregated transportation. (The Interstate Commerce Commission appeared before the Supreme Court in 1950 to defend segregated train travel.) Hospitals, recreational facilities and prisons remained segregated; President Truman's orders desegregating the military and the federal civil service had been issued only in 1948. Much of the Deep South, ignoring the Fifteenth Amendment, prevented black citizens from registering to vote.

Criminal justice held particular perils. Some of the most dramatic passages of Greenberg's book describe LDF's representation of two black men accused of the rape of a white woman near Groveland, Florida (about twenty-five miles northwest of Disney World) in 1949. The accusations, almost certainly false, produced a full-scale race riot; convictions at a first trial were overturned by the Supreme Court because prospective jurors had been improperly selected. Arriving in Orlando on the eve of a second trial in 1951, Greenberg was met with a torchlight Klan parade circling his hotel. From the newspaper shoved under his door the next morning, he learned that both his clients had been shot, one of them killed, by the sheriff on the way to the courthouse.

This was the heroic period in American civil rights law, when LDF, win or lose, could only win. Greenberg effectively evokes the exhilaration of battle, "the action and thrill of actual combat in a cause I cared for." The most memorable parts of the book are the lawyers' war stories; the generous reminiscences of comrades-in-arms; the tantalizing sample of Marshall's wisecracks and anecdotes. (A North Carolina client, accused of looking at a 17-year-old white girl from seventy feet away in a "leering" manner, was charged with assault with attempt to rape, then tried for attempted assault: Marshall described

the alleged crime as "highway looking and attempting to want.")

The lack of any more critical or analytical perspective is not especially troubling for the first two-thirds of the book, roughly the period up to the 1964 Civil Rights Act. The major legal events have already been extensively documented, and Greenberg's welcome contribution supplements the historical record with the view from the trenches. In the later chapters, by contrast, the largely unbroken narrative of wins and losses (mostly wins) neglects the most interesting part of the story. For "civil rights law" inevitably changed once civil rights were attained.

By the end of the 1960s, LDF was pressing new demands—for an "equality of results," measured by proportional outcomes—that were inconsistent, in important respects, with its traditional arguments based on the principle of non-discrimination. The new course, set a generation ago, has led to an ever-widening divergence between the claims advanced in the name of "civil rights" and the older civil rights ideal. With one notable exception—Greenberg's fight with his own staff over whether LDF would represent Angela Davis (they didn't)—nothing in Greenberg's account acknowledges the watershed that was crossed.

School desegregation cases after the mid-1960s, when the federal government finally moved against Southern intransigence, became the entering wedge of "race-conscious remedies." In 1954 *Brown v. Board of Education* had simply prohibited the assignment of school pupils by race. Greenberg himself, writing in 1959, expressed the view that if a school district instituted "complete freedom of choice, or geographical zoning . . . and all Negroes still ended up in certain schools, there would seem to be no constitutional objection." In 1968 the Supreme Court, at LDF's urging, interpreted *Brown* to require racial balance in formerly segregated school districts. Greenberg (who acknowledges his own change of position) describes the critical decision as "a smashing victory," without reflecting on the new meaning that was given to the word "desegregation." He is similarly circumspect in describing LDF's most significant victories in the area of employment discrimination: decisions in which the federal courts effectively revoked the political compromises that had secured passage of Title VII in 1964, substituting for the congressional command of nondiscrimination a far more interventionist statute favoring the hiring and the advancement of women and minority workers.

Whatever one's view of these distant controversies, their legal history starts

with the recognition that courts were remaking legal rules in profoundly significant ways. A candid outlook on judicial lawmaking is normally denied to judges and to successful plaintiffs: both are obliged by convention to explain that the new rule is really the old rule, better understood. Greenberg observed first-hand the transformation of "civil rights law" a generation ago, but he chooses to write as though no transformation took place. The historical perspective is that of an LDF brief.

The fact that "civil rights" took a new tack in the late 1960s does not mean that the new course was chosen by lawyers. Houston's conception of lawyers as "social engineers"—a view that *Brown* did so much to inculcate—rests on questionable assumptions about the relation between legal process and social change. (Present-day skepticism asks whether the Supreme Court itself made more than a marginal contribution, affecting primarily the timing of events, to the law and politics of race over the last forty years. An iconoclastic article by Michael Klarman, published recently in the *Virginia Law Review*, pertinently recalls the broad range of political and social developments whose cumulative effect, by midcentury, was already forcing the country toward its civil rights revolution.) It is hard to imagine the history of civil rights in a United States without judicial review, but we might well have come out somewhere reasonably close to where we are now.

The more modest idea that judges in important cases make political decisions rather than "legal" ones is the product of a much older skepticism, long since assimilated to academic orthodoxy, and in considering the legal history of the civil rights revolution an inevitable question is to ask how much the LDF (or any other) lawyers really had to do with it. The question forms one of the principal themes of Tushnet's book, to the point that his title, *Making Civil Rights Law: Thurgood Marshall and the Supreme Court, 1936-1961*, is evidently ironic. The implicit claim, that Marshall and LDF in some sense "made" civil rights law, is exhaustively refuted by the text.

At every significant juncture, in Tushnet's unrelentingly "realist" account, the Court behaves as an autonomous political actor. Tushnet is very little concerned with the genuine difficulty, expressed by Justice Robert Jackson, of finding in "the conventional material of constitutional interpretation" a justification for the decision in *Brown*. In Tushnet's brisk view doubters such as Jackson and Felix Frankfurter simply had to overcome their "ambivalence" about making "a

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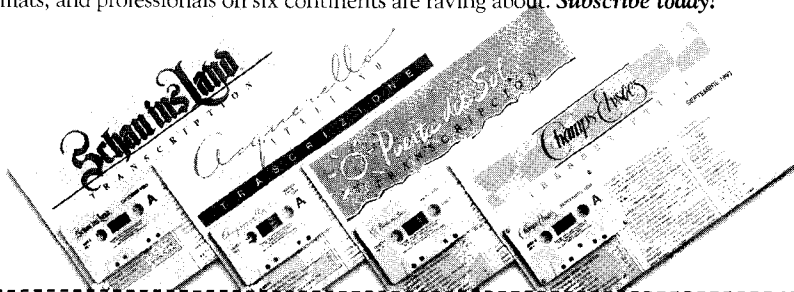
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political rather than a legal decision." That done, the question for the Court was merely "how to justify the result."

Whether Frankfurter, at least, felt any such ambivalence seems questionable. The political authority of the Supreme Court has long been a commonplace for those in on the secret. At the height of the Court-packing crisis of 1937, as a conservative Supreme Court resisted the New Deal expansion of federal authority, Frankfurter (still a law professor) wrote to his friend FDR:

It is a creditable aspect of human nature that it wants some object of veneration, and veneration to no small degree thrives on mystery and mysticism.... People have been taught to believe that when the Supreme Court speaks it is not they who speak but the Constitution, whereas, of course, in so many vital cases, it is *they* who speak and *not* the Constitution. And I verily believe that that is what the country needs most to understand.

Unlike law professors, Supreme Court justices have rarely thought such understanding desirable.

Thus while the lawyers on either side of *Brown* devoted prodigious efforts, at the Court's direction, to "the conventional material of constitutional interpretation," their legal and historical analysis appears to have been largely beside the point. Certainly there is no suggestion in Tushnet's account that LDF's work in *Brown* had any effect on the outcome. (Tushnet accepts as accurate the "very ungenerous" observation of Philip Elman, who participated in the School Segregation Cases for the solicitor-general's office, that "nothing the lawyers said made any difference. Marshall could have stood up there and recited 'Mary had a little lamb,' and the result would have been the same.") The lawyers' contribution to "making civil rights law" consisted in assembling the raw materials: suitable cases that judges might be inclined to decide in a helpful way. And for this to occur, as Tushnet demonstrates, Houston, Marshall and their associates first had to "construct the job of civil rights lawyer." How they

did it constitutes the most interesting part of Tushnet's story.

Here Tushnet builds on (and largely supplants) his earlier book, *The NAACP's Legal Strategy against Segregated Education, 1925-1950*, extending its coverage to include the crucial decade of the 1950s and greatly expanding the treatment of judicial materials. The new book conveniently collects the evidence of the Court's deliberations in all the major civil rights cases of the period, from the restrictive covenant and "white primary" cases of the 1940s through the "NAACP cases," decided in the early 1960s, in which the Court defended the organization against a variety of attempts by Southern states to put it out of business. The most rewarding material, however, is drawn from NAACP and LDF archives, not from Supreme Court briefs and conference memoranda.

The day-to-day details of early NAACP legal work remind us not only that the idea of organized litigation for social ends was an extraordinary political innovation, but that it involved a revision of the lawyer's role that sat uneasily with accepted professional norms. Prepared in 1945 to push ahead with a Court challenge to segregated university education, Marshall complained to Walter White, executive secretary of the NAACP, that "we have the lawyers ready but do not have the cases." Marshall's forces must repeatedly find "a good place to bring a lawsuit," "locate a plaintiff," "develop a case," persuade potential clients not only to sue but what to ask for—and in planning strategy, answer to a "constituency" (as Tushnet puts it) by no means identical with their nominal clients.

By common-law standards, formed on the assumption that a civil lawsuit is a mechanism for settling private differences, and that lawyers should be forbidden to stir up litigation, much of this conduct was not only unethical but illegal. When Southern states began to prosecute the NAACP for soliciting litigation, the Supreme Court held that this new form of legal practice was constitutionally protected. The Court's decisions on

the subject, appropriately grounded in the First Amendment, were a formal acknowledgment of Houston's original insight: that strategically organized, institutionally supported litigation could be a form of political activity. It differs from voting or petitioning in that the primary appeal is made, not to the legislature or the executive, but to the judicial branch.

The legacy of *Brown* includes not only our accepted model of institutionalized litigation, but also its natural correlative, an expanded tolerance for judicial lawmaking. *Brown* brought forth an impassioned denunciation of the justices for having undertaken "to exercise their naked judicial power and substitute their personal, political and social ideas for the established law of the land." A case can be made for the essential truth of that characterization; much support for it might be drawn from Tushnet's account. The words, however, are those of the "Southern Manifesto" of 1956, by which 100 senators and members of Congress pledged themselves to oppose the implementation of *Brown*—to defend the indefensible. If ordinary political opinion sees naked judicial power being employed to right a manifest and seemingly intractable wrong, ordinary political opinion will tend to regard naked judicial power with increased respect.

Widespread public acceptance of government by judiciary does not give courts the scope of action available to a legislative majority. One who seeks judicial lawmaking—as Houston advised Marshall, in a letter quoted by Tushnet—must go "where the apple is ripe." Ripe apples are outcomes that a democratic majority is not prepared to legislate for itself, but whose imposition by judges it will nevertheless tolerate. Notable instances include desegregation (in at least some of its phases); legislative reapportionment (the "one man, one vote" decisions); and the allocation of public resources to such unpopular needs as improved prison conditions.

Apples continue to fall. A state court judge in Connecticut may soon require that school districts be redrawn, merging city and suburban systems, to achieve racial balance. (The Supreme Court shrank from trying to impose such a requirement nationwide, but the same program might well be within the judicial power in a given state where opposition is relatively mild.) Courts in several states have been able to impose new methods of public school finance tending to equalize resources between districts. In the same way, laws protecting homosexuals from discrimination will be enacted (except in the most sympathetic

Procession

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You chart the rise and fall of fever, writing on a
Shadowed page through empty hours when no friend calls,
As though familiarity carried plague and by a look,
A word or gesture, they, too, would become another
Carrier in that long procession without an end.

MICHAEL MILLER

communities) by judges rather than legislators, at least in the first instance.

It seems unlikely, by contrast, as many observers have already concluded, that significant progress toward racial equality will henceforth be the work of the courts. The reason is not that judges' politics have changed, but that the problems we now confront lie outside the judges' reach. Especially when they are enforcing constitutional rules, it is far easier for courts to prohibit action than to require it; it is easier, moreover, for a court to direct the reallocation of existing resources than to command the assembly and expenditure of new ones. Such tools were adequate when the problem in view was unequal treatment at the hands of government. They are of little use against social inequalities not attributable to present-day discrimination. So long as the problem of race was still the problem of civil rights, the political agenda was clear; but we cannot expect solutions of judges when we remain, ourselves, at a loss for what to do.

Even if constitutional litigation is merely the continuation of politics by other means, the choice of legal arguments—lawyers' ideas about "how to justify the result"—tells us much about the political assumptions and aspirations of the era in which they are made. Seen from our present perspective, the most striking feature of the civil rights arguments of forty years ago was the *reason* most prominently advanced for the unconstitutionality of segregation. Like all good lawyers, LDF tried to offer the Court a choice of rationales for reaching the desired result in a given case. But its most forceful contention, usually placed "up front where ordinarily the best argument would go" (Greenberg), was that laws making a racial classification were constitutionally impermissible: in short, that the Constitution was color-blind.

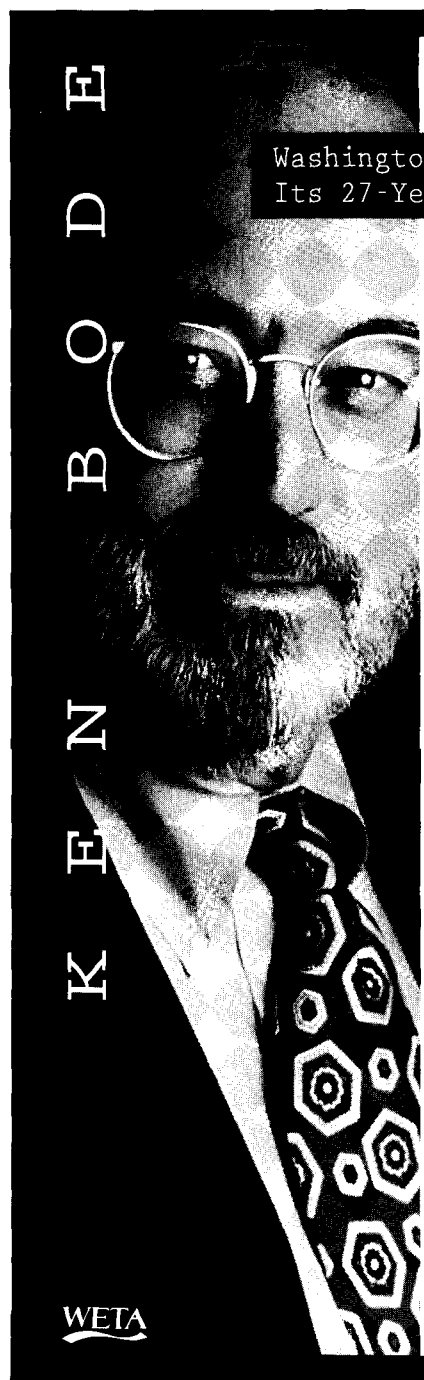
The LDF's consolidated brief on the re-argument of the School Segregation Cases, submitted in late 1953, announced as its first contention that "distinctions drawn by state authorities on the basis of color or race violate the Fourteenth Amendment." The argument was pursued: the Fourteenth Amendment "prohibits a state from making racial distinctions in the exercise of governmental power," reflecting "abhorrence of race as a premise for governmental action." Marshall, Greenberg and their colleagues urged the Court to decide the school cases on the basis of "this Court's basic premise that, as a matter of law, race is not an allowable basis of differentiation in governmental action.... That the Constitution

is color-blind is our dedicated belief."

Quotations in this vein might easily be multiplied: the assertion that the Constitution is color-blind was a consistent feature of LDF briefs in major civil rights cases from 1948 to 1963. Yet neither Greenberg nor Tushnet—both of whom know this material inside out, and who discuss less salient aspects of the LDF's evolving legal arguments in considerable detail—makes more than a veiled or passing reference to this highly visible theme in the older argument for civil rights. Suffice it to say that the reader not already aware of the color-blind strain in the LDF briefs of the period will not learn about it from either author.

The decision of two knowledgeable authors to pass over the matter in virtual silence might reflect no more than their parallel judgment that the constitutional reasoning by which LDF fought segregation is relatively unimportant. But if the substance of the legal argument for civil rights is a significant part of the story, both Greenberg and Tushnet have here given us expurgated history.

The point is not to catch anyone out in a contradiction. Civil rights lawyers could, and did, say (as Greenberg himself said, when reminded of his earlier statements approving "desegregation" without racial balance), "I did not know then what I know now." But the authors'



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extreme reticence about the color-blind theme appears politically self-conscious, reflecting a recognition of what is perhaps the single most obvious way in which Jesse Jackson's version of the continuing struggle suffers by comparison with Martin Luther King Jr.'s. The beauty of civil rights as a political program was that it asked for nothing that it did not claim for everyone. In reorienting its political objectives from nondiscrimination to entitlements, the liberal position in racial politics surrendered the universality that was an attractive part of its moral claim.

Greenberg remained the director of LDF long enough to find himself picketed by the "Third World Coalition" at Harvard Law School in the fall of 1982, when he taught a course on "Racial Discrimination and Civil Rights." The objection to Greenberg personally was that he was not "a Third World professor." (The Harvard Black Law Students Association found Greenberg "especially inappropriate" as an instructor because of "his adamant refusal to relinquish directorship of the NAACP Legal Defense Fund to a black attorney.") Greenberg writes that he "scorned" the boycott leaders for their "racist enterprise." He bristles when he recounts that *The New York Times*, reporting his appointment as LDF director in 1961, headlined the fact of his race, "the least relevant aspect of my persona."

The phrase is an uncanny echo of the way we used to talk. And yet ... when Greenberg resigned in 1984, it was surely inconceivable that a white lawyer would succeed him as director of LDF. Courses in race-relations law are regularly offered at Harvard Law School, but no white professor has taught them since Greenberg. Either the Third World Coalition was slightly ahead of its time in 1982, or Harvard was slightly behind.

Something was gained, then, and something lost, in the change of attitude. Greenberg either fails to see, or chooses not to acknowledge, the extent to which it reflected a political and intellectual transformation—nothing less than a redefinition of the baseline of racial justice—to which LDF, under his leadership, had substantially contributed. Greenberg would prefer to regard present-day demands for proportional entitlements as merely the new phase of a continuing struggle for civil rights. But to equate the two causes is to ignore everything that has been gained, and everything that has been given up.

ANDREW KULL is the author of *The Color-Blind Constitution* (Harvard University Press).

The Tastemaker

BY ALFRED KAZIN

Mosaic: Memoirs by Lincoln Kirstein

(Farrar, Straus & Giroux, 300 pp., \$27.50)

Lincoln Kirstein is 87 years old, and best known as the general director of the New York City Ballet. Only he could have made possible the brilliant and popular ballet scene of our day by bringing George Balanchine to America in, of all years, 1933. Without Balanchine, it is inconceivable that there would be anything like the taste for ballet that exists in America today. And it took critical insight of a most determined and unfashionable kind for the young Kirstein to put his faith so early in Balanchine's personal character as well as in his latent originality as a choreographer.

Since the '20s, when as a Harvard undergraduate he helped to launch the great early modernist review, *Hound & Horn*, and prepared the way for the Museum Of Modern Art (an institution that he detests) with the Harvard Society for Contemporary Art, Kirstein has had an extraordinary influence on American taste in painting, literature, dance. In 1978, when Yale University Library published *Lincoln Kirstein: The Published Writings, A First Bibliography*, it listed 473 titles, including fiction, drama, ballet librettos, books and articles covering—in addition to dance—drawing, painting, sculpture, architecture, photography, film, music and literature.

It helped, of course, to be well-supplied with cash. Kirstein's father, Louis, of German-Jewish stock, became the head of Filene's department store in Boston, never seriously pressed his son to join him in business or to earn his own living, paid for many of his projects and his enthusiasms, made the contacts to other sources of support. He headed the Boston Public Library, commissioned its famous John Singer Sargents, could have run for governor of Massachusetts if he had not disdained party labels, and gave generously to the Boston Jewish community without any interest in Judaism.

Growing up on Boston's superior Commonwealth Avenue in a "featureless limestone mansion" crammed with works of art and distinguished furniture,

Kirstein can still describe his upbringing by object. From childhood on he was surrounded everywhere by such elevated taste that it is no wonder he led a life dedicated to art with a truly religious devotion and a certain pugnacity. His mother, née Stein, also backed up by wealth, was early "taught the hierarchy of haute couture." Commonwealth Avenue and adjoining streets featured a plethora of patriotic sculptures:

For many Back Bay householders, an unquestioned criterion was the stupendous mastaba of Isabella Stuart Gardner. Fenway Court had a beautiful alternation of original, period rooms in their rich complexity of paneling and paintings, crammed with Bernard Berenson's loot, her brilliant portraits by John Singer Sargent and Anders Zorn and the earliest Matisse in America.

A taste for the fine arts has always been inseparable from wealth, power, fame and the personal sense of superiority that just collecting negotiable art confers on the rich. The now overused word "elite" could have been invented for so powerful, pre-eminent and remarkably discerning a tastemaker. I remember Kirstein describing himself to the art critic John Russell as "an imperial American." He dismissed as "educated rabble" the numerous New Yorkers who objected to the recent gilding of Saint-Gaudens's wonderful equestrian sculpture of General Sherman at the entrance to Central Park. Nobody I know who has worked with Kirstein seems to think of him as lovable. His rages are famous. A friend once whimpered to me that "Lincoln has hurt me dreadfully." Yet, as Kirstein lustily tells the story in one chapter with obvious enjoyment and without the slightest embarrassment, such was his passion for Art that he sought out and had an affair with Hart Crane's lover, a tough young veteran of the New York docks.

Since Kirstein's fascinating memoir of his altogether remarkable life displays no interest in politics, nor in the tedium that American society in general must present to anyone devoted so wholly to art, it is odd to see him identifying with Henry Adams and always conscious of

the great president whose name he bears. (He makes a point of saying that his father, who was devoted to our national history, named his son for Abraham Lincoln, not for an uncle with that name.) He delights in Adams's "supercilious self-denigration" and occasionally imitates it here. But of course Adams knew, and wonderfully described in the *Education*, everybody important in his time. Kirstein's lapidary style in writing about himself, by contrast, has a way of suggesting and concealing things in the same breath.

Still, he has spent his life in the company of people already famous, and people he has helped to make famous, and he can be compelling about them. I am puzzled by his mother's receiving Mrs. Benjamin Nathan Cardozo, since the famous judge never had a wife, and it is odd that Kirstein mentions his own marriage without telling us the name of his wife, and describes his sister's cultural efforts and names her husband without noting her own name, Mina. But there is certainly no lack of Big Names, from Exeter to the Russian Ballet, from Harvard to New York's High Bohemia in the '20s. Even as a private first class in the Army (and he tore the stripe off his uniform), he managed to become General Patton's chauffeur. Kirstein has known *everybody*. Brandeis was his father's lawyer. Even the replacement for the family chauffeur turned out to be the son of the Sacco who was executed with Vanzetti. Thanks to his sister's preceding initiation into London society, when his turn came in the '20s "an Olympian team of notables surrounded me." John Maynard Keynes took him up and Bloomsbury followed.

At Harvard, he had Eddie Warburg (son of the banker Felix Warburg, who was glad his son had found a "hobby") to support his founding of the Harvard Society for Contemporary Art. He roomed with Francis Cabot Lowell, nephew of Harvard's president, of Amy Lowell, of Guy Lowell (who built the Boston Museum), of Perceval Lowell, who discovered the "canals" on Mars:

Thus I came to bask in a most delectable season. I no longer lacked a passport; by the middle of that year my name was listed with the mother of every debutante in Boston for coming-out balls at Hotel Somerset or Copley Plaza. One breathless April night I drove back to Hawthorne Street from the Somerset's ballroom to change my waltz-sweaty black tie for a white one (with tails); then I went back still again in a tux which had not yet dried out to fill the remainder of a cotillion card.

From the evidence of this book, being a Jew has neither bothered nor inter-

ested Kirstein, who genially told people who asked that he was an "Israelite." His circumcision led to septicemia, and he wonders "what lingering atavistic compulsion" forced him at eight days of age to undergo the ceremony. He is scornful of Harvard's once-secret Jewish quota, but ironic in equal measure about Jewish society and about overanxious notables at Harvard such as Paul Sachs of the Fogg Museum.

One of Kirstein's closest friends at Harvard was Varian Fry (who succeeded me as literary editor of *THE NEW REPUBLIC* in the early '50s). Working in Marseilles before the Nazis occupied all of France, Fry served as an agent of the

International Rescue Committee and saved dozens of Jewish writers and artists. Kirstein rightly says that "Varian became a hero, and, as well, nearly a saint. He shepherded troupes of artists from the School of Paris, Jew or gentile, across the Pyrenees into the anxious Spanish haven, on their way to New York during the terrible years of German occupation." This does not convey the magnitude of Varian's heroism. He was able to defy the pro-Nazi Vichy authorities with a true patrician insolence. When I knew him, he had a dog named Clovis, after a king of France.

I detect in these memoirs an attempt to play down Kirstein's formidable per-

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sonality. Many personal details and opinions in this book first appeared in a remarkable set of conversations between Kirstein and W. MacNeil Lowry, published in *The New Yorker* in 1986. There Kirstein's tone is altogether simpler and more straightforward than here, where he chooses to describe himself, tempted by so many opportunities at Harvard, as a "dandified cipher who 'couldn't make up his mind.'" The "historiated enclaves" centered on Beacon Hill and extending north and west of Boston's patriciate seemed "populated by role models at whom I marveled from a distance with little expectation of fraternizing."

This coyness could only have been a trivial passing mood in view of the cultural leadership Kirstein established over Harvard's blue bloods by dint of the audacity and the passion he showed in founding *Hound & Horn*, the Society for Contemporary Art, in training himself to paint portraits, in haunting the Fogg and much else. His colleague on the magazine and his close friend was the late Howard Nott Doughty, who was, in the 1940s, when he had been so brought down by his sexual problems that he was teaching at the police academy, a neighbor of mine in Sunnyside, Queens, and a literary friend. Doughty came from a Massachusetts family so long-established in Ipswich that its members were still in touch with their English relatives. The one proud act of his life, aside from taking thirty years or so to complete the best biography of his kinsman, Francis Parkman, was his association with Kirstein on *Hound & Horn*. He could never shut up about this. And while he could get quite disturbed about my being a Jew from darkest Brooklyn, he seems never to have thought of Kirstein as a Jew.

No matter how he tries to dilute it here, Kirstein clearly made an extraordinarily useful career out of his power over others. He says that after trying his hand at so many things in art he finally decided to "spend my energy on appreciation, or in service to authoritative manipulation by others." Maybe so, for there must have been many complex and difficult transactions with patrons, artistes and other impresarios that he does not tell us about. On the public evidence of his career, however, he stands out as the most intelligent, the most passionate, the most indomitable of aesthetes.

ALFRED KAZIN has just completed *Writing Was Everything: Life as a Critic (1934-1994)*, to be published by Harvard University Press.

Soul on Fire

By COLIN MCGINN

Philosophical Occasions 1912-1951

by Ludwig Wittgenstein

edited by James Klagge and Alfred Nordmann

(Hackett, 560 pp., \$49.95, \$24.95 paper)

Wittgenstein:

The Terry Eagleton Script, The Derek Jarman Film

by Terry Eagleton and Derek Jarman

(Indiana University Press, 160 pp., \$45, \$21.95 paper)

Ludwig Wittgenstein did most of his publishing after his death, leaving that sordid business to his literary executors. The modest curriculum vitae that accumulated during his lifetime—one short book, which was his doctoral dissertation, one article, one book review—has now expanded to fifteen substantial volumes. And there is more where that came from. Wittgenstein would hardly have flourished in today's academic environment. The greatest philosopher of the century would have had to fight hard for tenure. His kind of perfectionism is no longer tolerated.

Not that Wittgenstein would himself have cared, given his propensity for leaving the profession of his own free will. It is only the world that would have suffered. There is a characteristic poignancy, in any case, in the fact that his great mature work, *Philosophical Investigations*, should have been published two years after he died in 1951, thus sparing him the anguish of its instant and prolonged celebrity. So canonical is that work, indeed, that it is hard to believe that it was written by anyone. It stands there like a natural monument, the result of superlunary dictation.

Wittgenstein's philosophical legacy consists principally of the binary star formed by the *Tractatus Logico-Philosophicus*, which appeared in 1922, and the *Philosophical Investigations*, high-density objects giving off complementary glows. The views expressed in these two works are sharply opposed in content and in outlook, but there persists a single underlying preoccupation, and there are common threads. More than any philosopher before him, Wittgenstein was concerned with the link between language and reality. He

wanted to understand how, by emitting sounds, we manage to say something about the world beyond language. By what mechanism or means does language, and hence thought, come to be meaningful? And what are the limits of meaning?

Wittgenstein's contribution, put in the broadest terms, is that he saw how difficult this simple question is. Talking about things is a deeply puzzling phenomenon, not the transparent act of mind-world engagement that we tend to assume. How must the world be, and how must language be, for it to be possible that the two should join in occasions of meaning? What constitutes this unlikely nexus?

In the *Tractatus* the answer was a highly abstract metaphysical system, buttressed by formal logic, in which the structure of reality and the structure of thought were deduced from the requirements for any possible kind of semantic representation. This became known as the picture theory of meaning. "What any picture, of whatever form, must have in common with reality, in order to be able to depict it—correctly or incorrectly—in any way at all, is logical form, i.e., the form of reality." That is, for language to depict the world, it is necessary for these two poles to share an inner logical structure, so that facts and propositions partake of the same transcendent logical order. Language and the world are one, in their deep metaphysical essence. This ultimate monism may not be apparent on the surface of language, but it must be so beneath the surface; and there must exist an ideal language in which the necessary sameness of form with reality is made fully transparent. To construct such a language would be to

devise a symbolic system in which the structure of the world would reach right through our modes of representation: a flawless metaphysical mirror, as it were. The puzzles produced by our imperfect ordinary language would be finally laid to rest once the ideal language was available.

And yet Wittgenstein did think that there is a residue of significance not covered by such an account of meaning. For there are things that cannot be said, but only shown. "There are, indeed, things that cannot be put into words. They *make themselves manifest*. They are what is mystical." This realm includes ethics, aesthetics, philosophy itself. Strictly speaking, utterances of those kinds are literal nonsense, since they cannot be brought under the picture theory of meaning, but Wittgenstein has no doubt about their importance and their legitimacy. The famous last sentence of the *Tractatus*, "What we cannot speak about we must pass over in silence," is not intended to suggest a dismissive attitude toward the unsayable. It recommends, instead, a reverential, attentive speechlessness in the face of the transcendent. What cannot be put into language can still be apprehended, in quiet obliqueness. The form of the mystical, unlike the form of reality, is not any kind of logical form. It lies outside the space of possible fact.

None of this survives in Wittgenstein's later work. In place of abstract deductions about the essential nature of language and the world, we have meticulous observations of what actually occurs in the use of language; an intense distrust of generality; an insistence on the irreducible multiplicity of our "language games"; and the introduction of the living human being at the root of what makes language work. There is no longer any such thing as "the general form of a proposition," any more than there is a general essence for what we call a game; and no longer is it the function of all words to denote a constituent of reality. The whole notion of an ideal language is riddled with error and confusion. No picture, however arcane or mental or logical, could ever confer a meaning. Rules of language, even for mathematical terms, cannot take a grip on our thought and conduct independently of our being naturally prone to make particular choices. Our justifications always run out, and we must act without appeal to foundations.

What is basic, in the later philosophy, are the language games that we actually play, and the "forms of life" into which they are woven. Meaning must be

sought in those activities, not in a hidden mechanism or a sublime structure. Where once meaning seemed crystalline, unitary and remote, now it is humdrum, multifarious and humanly mediated. Its study is not part of formal logic or metaphysics, but of human "natural history." This is the force of Wittgenstein's celebrated dictum that the meaning of an expression is revealed in its use: there are no pre-existent meanings onto which our minds magically latch. Rather, our ways of behaving with words are the sole repository of semantic significance. Wittgenstein was fond of quoting a line from Goethe: "In the beginning was the deed."

What links Wittgenstein's philosophies is a deep ambivalence about language. In the earlier work language is credited with a marvelous inner logic; yet it is also held to be inadequate to the expression of some of our most profound concerns. It is like a perfectly engineered precision tool that can work only within severe limits. Even the ideal language of Wittgenstein's first philosophy cannot say what can only be shown. And in the later work we are told that "philosophy is a battle against the bewitchment of our intelligence by means of language," though elsewhere we are assured that "philosophy may in no way interfere with the actual use of language; it can in the end only describe it." On the one hand, ordinary language is held to be perfectly in order as it is, not needing reform or censure on philosophical grounds alone. On the other hand, it is supposed to give rise to intractable confusion, because of the misleading analogies it suggests, and because its grammar fails to reflect the actual use of words. Language encourages us to talk nonsense, but it is not less than ideal because of it. It is like a perfectly adapted organism that has a regrettable tendency to turn on its owner.

Moreover, language has its limits, in the early Wittgenstein and the late, as a foundation for thought and action, since it rests upon something nonlinguistic in nature. The learner of language needs more than verbal explanations if he is to latch onto what is meant, since no word is self-interpreting; the teacher must rely on the learner's taking his instructions in a certain way and acting appropriately. For the same reason, the analysis of one sentence by means of another sentence cannot escape the circle of signs, and the slack must be taken up by modes of natural response that resist codification. Language is possible only because it is not

self-reliant, because it is parasitic on a foundation of nonlinguistic abilities and dispositions. In this sense—here we see the ghost of the *Tractatus*—language cannot communicate its own presuppositions.

This ambivalence about the powers of language reveals itself in Wittgenstein's prose style. There is great confidence in the expressive capacities of language, even the pared-down, monosyllabic vernacular that he preferred; but his style is also halting and allusive, discontinuous and metaphorical. He writes as if he is determined not to ask more of language than it can deliver, not to give the reader the illusion that things are clearer and straighter than they really are. Certainly his prose requires the utmost scrutiny, as well as an ability to engage creatively with what is being

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said. And it strives for an intellectual effect that goes beyond discursive formulation to alter one's "way of seeing." "Say what you choose," he says at one point, "so long as it does not prevent you from seeing the facts." This can sound odd, coming from someone who ceaselessly reminds philosophers of their perilous tendency to misuse language; but it fits the deeper aim of curing distortions of vision caused by language itself. For all his obsession with language, Wittgenstein's heart was not exactly there. He was as much concerned with what language cannot do as with what it can.

In *Philosophical Occasions*, James Klagge and Alfred Nordmann have usefully and skillfully assembled various writings by Wittgenstein that have been scattered and hard to obtain. The variety is such as to permit a synoptic view of his several concerns—from comments on Frazer's *The Golden Bough*, to pieces on ethics, sense-data, cause and effect, free will, the nature of philosophy. There are also some revealing letters and an informative essay by Henrik von Wright on the writings that Wittgenstein left behind. The book is an excellent source, and it provides a nourishing supplement to the *Investigations*.

Particularly interesting are the remarks on the nature of philosophy, which expand illuminatingly on themes pursued in the *Investigations*. Philosophy, for Wittgenstein, is not to be conceived in the traditional way as a maximally general science, so that the task of the philosopher is to develop an entirely universal theory of reality. Instead, philosophical work consists in dismantling confusions and mythologies by paying careful attention to our ordinary concepts, resisting the false analogies suggested by our forms of expression. The problems are difficult, not because they concern especially deep features of reality, but rather because it is hard for us to obtain a clear view of what we already know very well. Philosophy, or the search for the ultimate theory, is over, but philosophizing must go on.

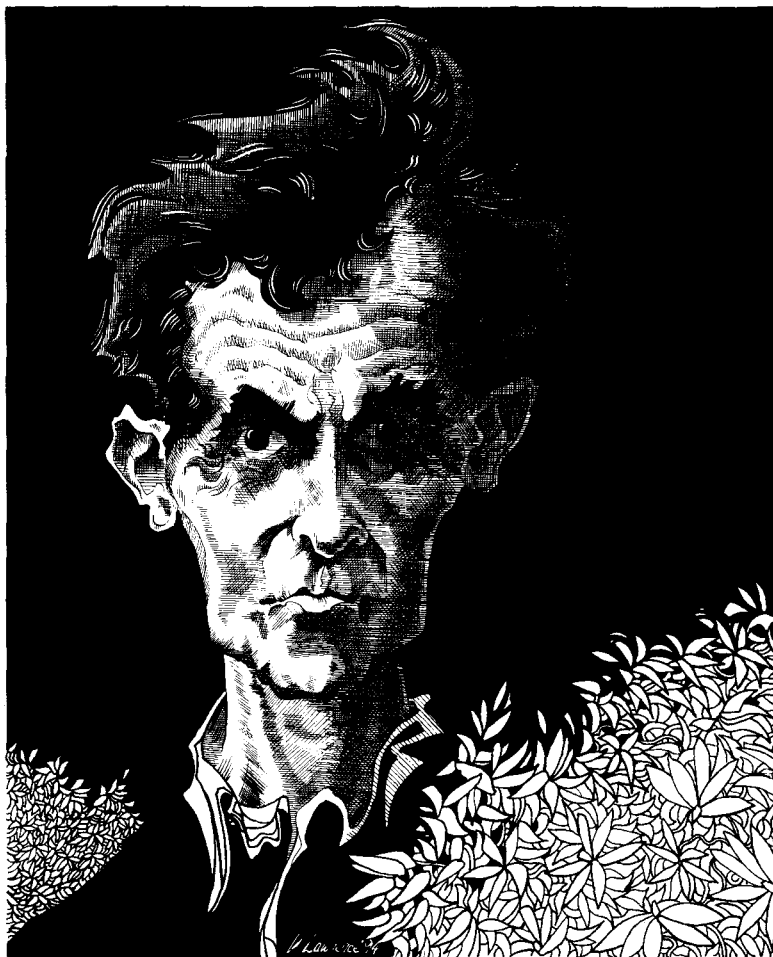
"Philosophical problems can be compared to locks on safes, which can be opened by dialing a certain word or number, so that no force can open the door until just this word has been hit upon, and once it is hit upon any child can open it." There is nothing intrinsically profound about the right combination, nor about the result it secures; the difficulty lies purely in the trouble we have in hitting upon the answer, in seeing what is before our eyes. This has the consequence that the workings of our language are as opaque to us as a secret

ings. It is not impossible that it should fall to the lot of this work, in its poverty and in the darkness of this time, to bring light into one brain or another—but, of course, it is not likely." The pessimism here is not the result of feeling that he will be ignored or underappreciated, since he goes on to admit that fear of plagiarism was a major stimulus to publication: "I was obliged to learn that my results (which I had communicated in lectures, typescripts and discussions), variously misunderstood, more or less mangled or watered-down, were in cir-

culation. This stung my vanity and I had difficulty in quieting it." It is worth asking whether these presentiments apply also to his posthumous reverberations. How much mangling and diluting has there been? More to the point, how much projection and assimilation has there been? For it takes two to influence; and in the case of Wittgenstein the influence tends to be more of a mixing than a pouring. Cloudiness is apt to be the upshot.

From the moment he stepped into philosophy, from the not-so-adjacent field of engineering, Wittgenstein had an impact of extraordinary proportions. From the first he thrilled Bertrand Russell, no lagger in the head area, with his intensity and his brilliance, leading Russell to proclaim him the next great hope in philosophy. Later Wittgenstein's criticisms so withered Russell intellectually that he more or

less gave up the kind of philosophy of which he was a main architect, turning instead to less theoretical matters. (Russell eventually turned against Wittgenstein's mature style of philosophy, declaring him to have given up serious thinking.) In Vienna in the 1930s, the logical positivists found the rationale for their own scientific ideology in Wittgenstein's *Tractatus*, and their teachings went on to dominate philosophy for a lamentably extended period—though they grotesquely misrepresented the content of that work, notably in respect to its professed mysticism. This aspect of the *Tractatus* was totally anti-



DRAWING BY VINT LAWRENCE FOR THE NEW REPUBLIC

code, even as there is nothing hidden or recondite about these workings. We fail to grasp the truth about our language precisely because it is so familiar to us. The philosopher must approach his own mastery of language like an anthropologist, striving to see it afresh. Alienation is sound method.

Wittgenstein's influence, for good or ill, has been continuous and unparalleled. Something of his own estimate of the nature of this influence can be gleaned from the lapidary preface to the *Investigations*, where he says of the "remarks" that compose that "album": "I make them public with doubtful feel-

thetical to their own outlook.

Installed at Cambridge in the '30s, Wittgenstein dominated the scene, founding a new style of philosophy and combining torment and insouciance in a way that was to become de rigueur in certain quarters. There were no genuine philosophical problems to fret over, but it was agony to philosophize all the same. ("The real discovery is the one that makes me capable of stopping doing philosophy when I want to.—The one that gives philosophy peace, so that it is no longer tormented by questions which bring *itself* into question.") "Wittgensteinians" everywhere mimicked the master's mannerisms, declining to theorize, airily dismissing the exertions of earlier thinkers. Whether or not you understood him, Wittgenstein *had* to be right.

Then, in the '60s and '70s, came the backlash. Systematic philosophy reasserted itself, and Wittgenstein was eclipsed by Frege, Quine, formal semantics, cognitive science. He was too low-tech, too reactionary, too depressing. There was a new thirst for theory. During the last decade partisanship has tended to give way to scholarly exegesis, to learned detachment: the arch anti-professional has become professionalized. Wittgenstein is now beaten down by footnotes. Much of this has been fruitful, enabling us to gain a clearer idea of what he really means, though the boldness of his thinking is apt to be obscured by the sobriety of the commentary. What still remains to be done, however, is to identify what is good and bad in the man's work. He was neither a philosophical god nor a philosophical curio. He should be engaged more than exhibited. Let's argue with him.

But the fascination with Wittgenstein is not owed only to his philosophical work. His life also has a transfixing effect. For professors especially, Wittgenstein represents an ideal of intellectual purity and worldly indifference that answers to an impulse that still throbs, however faintly, within their conventional breasts: no home, no money (he gave his fortune away), no tie. He is the rootless poetic genius they might have been in another life. But the interest has spread beyond the borders of the academy in recent years, even to those not contaminated by the philosophical disease. There have been Wittgenstein novels, Wittgenstein memoirs, Wittgenstein biographies. You hear his name on television.

Some of this interest stems, no doubt, from prurient interest in his homosexual behavior, which was actually much

less extensive than one might wish. Far from indulging in vigorous promiscuity with legions of unschooled lads (as some have alleged), Wittgenstein seems to have had trouble engaging in any kind of sexual relationship with the objects of his affection. But I suspect that the current obsession with the difficult and austere Viennese-Oxbridge philosopher has a grander reason. It is that Wittgenstein exemplifies an idea of heroism.

Of flawed heroism, to be sure; but still he stands for something for which people yearn, even if they would run a mile if it tapped them on the shoulder. Wittgenstein seems like a man who

twangs to his own extreme ideals, who is racked by his own integrity. His life is made up of a series of dramatic gestures in placation of a god of flint and fire. He has a clear center but not a still one, not one at peace with itself. The core rages with molten purity, scorching the human surround. You can see this white-hot demon patrolling behind his eyes, unsleeping and merciless, missing nothing. It bears down on the man, the mere man, refusing to cut him the slightest moral slack. People are stirred by this vision, but also frightened by it. They see what it might do to the usual moral mush.

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Much was required of Wittgenstein by his steely god. First he must escape the comfortable embrace of his rich and cultured Viennese family and go to Manchester, where he studies engineering. Then he is called upon to abandon that career for the philosophy of mathematics, though profoundly uncertain of his capacities in this area. Having made a resounding success of this new vocation, he is obliged to remove himself from his friends and his supporters in Cambridge to live alone in a self-made hut in deepest Norway. During World War I, naturally, he has no alternative but to enlist in active service, to put his life at serious peril with a view to self-purification. (He reads Tolstoy and Augustine at the front.) Only this proximity to death puts thoughts of suicide out of his mind.

When he completes the *Tractatus*, he feels the need to abandon altogether the field in which he has excelled, give away all his money and become an elementary school teacher, which he quickly comes to hate. He flees again, and reluctantly returns, after a period as a monastery gardener, to Cambridge, where he develops a new philosophy, repudiating the work for which he has become famous. Then he decides that a job as a manual laborer in Communist Russia is what his soul craves. Sadly,

they will employ him only as a professor, unskilled labor not being a scarce commodity, so he declines to go, glumly resuming his Cambridge professorship, which he describes as "a living death." A spell doing menial work as a hospital porter during the Second World War is then indicated, followed by more solitary hut-living in Ireland. Finally, he spends his last days, penniless, in the house of his doctor, working on the subject of certainty, dying of prostate cancer.

All this is interspersed with spasms of self-loathing, forced confessions of his supposed sins to friends and tireless perfectionism about his work and his moral state. Spiritual struggle is the unrelenting theme: struggle with the philosophical incubus, with his own pride, with a soiled and compromised world. No wonder he described himself as like a man glimpsed through a window in an unseen storm, appearing to walk quite normally, but in fact keeping his balance only with the greatest exertion. This is heroism of a sort, despite the invisibility of the opposing forces. It carries the idea that decency (a favorite word of Wittgenstein's) is something that comes as a hard-won achievement, and that it must fight a constant battle with the corruption of the soul. Purity

costs. It hurts. It can make you do peculiar things.

The drama of Wittgenstein's life and personality makes him a uniquely suitable subject for a philosophical film. I once discussed the idea of such a film with Jonathan Miller, but we decided it would be too difficult to get right. Recently the project has been executed by the literary theorist Terry Eagleton and Derek Jarman, who died this year. They have attempted to convey Wittgenstein's life and thought in visual form. The film consists of an album of cinematic paragraphs—visual remarks, as it were—and it is an imaginative and serious attempt to render its subject's life in form and in color. Especially in color: Jarman renders the austere philosopher of language from a painterly standpoint. It is not a prism of Wittgenstein's own devising; he was interested in color for its logical grammar, not its aesthetic or expressive possibilities.

Spatially, the film is confined and claustrophobic, shot against a uniformly black background. Optical interest is supplied by the vivid hues of the clothes worn by everyone except the protagonist, who remains steadfastly gray and dowdy. He will not brighten up. (Karl Johnson's portrayal of Wittgenstein accumulates to an eerie reincarnation of the original. Johnson presents an uncanny physical resemblance to Wittgenstein, in both face and physique; he has Wittgenstein's eyes and mouth exactly right, the fragile ferocity of the gaze, the sensual rejection of the thin, inturned lips. And the voice is the perfect blend of the military, the preacherly and the childlike.) Russell wafts about in bright red, Ottoline Morrell traverses most of the spectrum, Keynes mixes and matches like a chromatic polymath. There is even a loquacious Martian sporting the reptilian green that is standard in that community. This method of representation is quite successful, and it aptly projects an impression of floating abstractness on the characters, condensing them into conceptual beacons, animated categories. That is probably how Wittgenstein himself tended to see people, despite his advice that one should study people's faces with the utmost care. It is a mark of his personal solipsism, as well as his extreme sensitivity to the presence of others. (He always chose to live alone.) Yet he himself stands in no need of chromatic heightening, having a natural, if somewhat glacial, internal iridescence.

There is a fair amount of philosophical talk interpolated into the narrative. My unease peaked at these points. It is

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not that what is said is inaccurate, but it gives the impression that philosophical discussion is just a clash of portentous profundities, a duel of gnomic pronouncements; and the mordant tone of the film encourages this impression. But philosophical discourse is nothing like that: it consists of argument, counter-argument, clarification, detail, restatement, recantation. Philosophy is not intrinsically incomprehensible or faintly silly. I note that no philosopher appears to have been consulted in the making of the film, which is really quite amazing. Did anybody involved in making the film actually study Wittgenstein's works, or the commentaries on them? I fear that they took the view that Wittgenstein is what you make of him. If so, they were wrong: his philosophy does *not* consist of a series of "inspired suggestions," from which the reader is invited to derive his own lessons, or to indulge his own fancy. It is a tightly constructed body of doctrine.

Eagleton's original script was substantially altered by Jarman, no doubt because of its dramatic inertia: it is all spouting heads. Apart from the amateurish way in which the philosophy is presented, the central flaw in Eagleton's script is its inaccurate and stereotypical depiction of Russell, who appears as a

shallow libertine much given to the hackneyed phrase ("Oh come on, old bean, don't be so ornery"). I suppose that, aside from not doing his homework properly, Eagleton finds it politically unacceptable that an English aristocrat could have been as intense and as passionate as any exotically accented European.

In his introduction to the script, Eagleton asserts that the *Tractatus* is "the first great work of philosophical modernism," and that "its true coordinates are not Frege and Russell or logical positivism but Joyce, Schoenberg, Picasso." This is bizarre, and it is sufficiently refuted by the pedestrian fact that Wittgenstein expresses his debt to Frege and Russell in the preface to that abstract and technical work (no mention of those other guys). This is a particularly brazen attempt by Eagleton to wrench Wittgenstein from his natural context and put him in the service of Eagleton's own purpose, which is the interpretation of the humanistic disciplines according to social theory.

It is not remotely correct to say, as Eagleton does, that "before contemporary cultural theory, Wittgenstein was teaching us that the self is a social construct," whatever that means. Wittgenstein was not concerned with such

issues. The social intrudes on his thinking only as the requirement that rules of language should be open to public correction, that they not be "private." This has nothing to do with whether one's personality is a product of social determinants. It is a risible distortion to read Wittgenstein's later work as some kind of anticipation of Foucault and company. Wittgenstein never abandoned the traditional problems: knowledge, meaning, mind, mathematics, logic, explanation, analysis. He was not a literary or political theorist. He was a pure philosopher.

Understanding Wittgenstein on his own terms, however, is often the last thing that the fascinated want. They have their own needs, their own uses, for him. They seek confirmation of their own views and values by an acknowledged genius. But what really makes Wittgenstein so interesting, as a thinker and a man, is the distance that separates him from familiar ways of thinking and being. To get the most out of him, you have to see that he is nothing like yourself.

COLIN MCGINN, professor of philosophy at Rutgers University, is the author most recently of *Problems in Philosophy: The Limits of Inquiry* (Blackwell).

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The Vision Thing

BY ADAM ULAM

Russia 2010: And What it Means for the World by Daniel Yergin and Thane Gustafson

(Random House, 320 pp., \$23)

We live in the era of the expert, and as any viewer of T.V. talk shows knows, what qualifies a person to that exalted title is not merely knowing a lot about the subject under discussion, but also being willing to make sweeping predictions about it or any other topic of the moment. Daniel Yergin and Thane Gustafson at one point seem to endorse that definition of expert. As a bracing exception to the embarrassed confusion of the American Sovietological establishment in the face of the events of the last nine years, they praise the clairvoyance of a research group at Royal Dutch Shell: in 1984 it boldly predicted an approaching "Greening of Russia" scenario, in which a "younger leadership would come to power and begin to make decisive economic and political change."

In fact, few Russians or Ukrainians would now describe what is happening in their societies as "greening." And, in truth, there were in 1984 no tangible reasons for a student of Soviet affairs (a much better term than the wretched "expert") to predict the dizzying developments of the next few years. Those were the result of a fortuitous and mostly unpredictable combination of personalities and events. It was only in 1989, during the elections to the ill-conceived and ill-fated Congress of People's Deputies, that it became reasonable to see perestroika as a failure and to postulate the likelihood that neither communism nor the Soviet Union would survive its crash. Yergin and Gustafson relate how in 1989 then Secretary of State James Baker was astounded to discover that Foreign Minister Eduard Shevardnadze was a fervent Georgian nationalist. Soon Shevardnadze's countrymen—who remembered him as head of the Georgian Communist Party addressing its congress in Russian and singing paeans of praise to Brezhnev and the "senior nation" of the USSR—would be similarly surprised.

Fortunately, *Russia 2010*, though its title portends another contribution to the facile prophetic fashion, is a sensible and informative treatment of the

current Russian mess, with several scenarios envisioning its possible resolution. It offers also a succinct appraisal of social and economic factors affecting the country's prospects. To be sure, the various crystal balls into which the authors peer offer a wide spectrum of projections for Russia two decades hence: they range from an enticing vision of society à la Milton Friedman to one more in the style of Stalin. But all such possibilities are indeed present in today's chaotic picture. We are talking about a society in which the security forces, heirs to the KGB, still number 140,000 agents (as against 25,000 in our FBI), and where at the same time the unleashed spirit of free enterprise has led to the eruption of 1,500 "private and semiprivate banks." There is no end to incongruous data about the main remnant of what used to be the fatherland of socialism.

The dilemmas of Russian society since at least 1825 are epitomized by the titles of two nineteenth-century novels, artistically awful but politically resonant (especially the latter) in their time: *Who Is Guilty?* by Alexander Herzen and *What Is to Be Done?* by Nikolai Chernyshevsky. Yergin and Gustafson, oriented to the future, pay relatively little attention to the first query, but imply quite sensibly that practically everybody concerned shares the blame for Russia's lamentable condition today. Gorbachev kept sawing off the limb on which he was sitting without building an alternate power base. Yeltsin, so courageous and inventive in helping to destroy communism and (unwittingly) the Soviet Union, has up to now faltered as a leader. The old apparatchiks were either uncomprehending of what was happening around them, or averse to turn it to their private profit. The reformers kept squabbling among themselves.

I would add to the list those Western advisers who judged that a society barely recovering from Stalinism was ready for instant democracy and a free market system, and who buttressed their counsel with utterly unrealistic visions of massive

foreign economic help. Even in those East European countries where communism had been like an outer garment easily cast off, rather than something that clung to the body of the sufferer, as in the USSR, the social costs of shock therapy have been very high.

But Yergin and Gustafson are probably right in concluding that Russia has passed the point of no return in its repudiation of the old economic and political ways. Even their most pessimistic scenario for 2010, which they call the "Russian Bear," envisages only a temporary relapse into authoritarianism. It would be military rather than Stalinist in character, and soon "the leaders, having no real economic alternative ... [would] listen to market-oriented economic advisers." And indeed the memories of Stalinism are still too much alive, the revelations about the frightful toll it took too recent, for a society to revert to something like that phantasmagoric system. Yet Russian society is far from won over by what the Prime Minister Viktor Chernomyrdin described recently as "free market romanticism." Economic stagnation, as Gorbachev labeled it, did exist before 1985, but for the average Russian it must appear now to have been a golden age compared with today; the GNP is at least one-third smaller than it was then, and still falling, and the country has been suffering ferocious inflation.

The authors' heart and hope, however, lie in another projection. This is The Miracle, as they call it by analogy to the German and Japanese economic miracles of the recent past. Their premise is sound. Unlike Germany and Japan, Russia has not suffered a devastating military defeat. It has human and natural resources far surpassing those of the two nations that in ten to fifteen years advanced from ruin to the status of major economic powers. And so they sketch a rosy scenario: in the mid-'90s the political picture is straightened out as an enlightened technocrat takes over from Yeltsin and unites the reform forces "behind a ringing declaration of faith in the principles of the market." The public endorses the reforms. Inflation is drastically reduced, even though one has to pay for this in increased unemployment. "Russian capital begins to emerge as an engine of growth." Foreign investments pour in. Industrial production and private enterprise flourish. Milton Friedman, thou has conquered.

Still, having teased us with the paradisiacal vision of the future, Yergin and Gustafson qualify it with various ifs and buts. Even if everything else goes all

right, chances of reversing the current economic trends in the near future are far from overwhelming. Take the oil industry, once a mainstay of the Soviet economy, and a subject on which Yergin, author of an excellent book on the international quest for energy resources, can speak with authority. Since 1988 Russian oil production has fallen by 5 million barrels per day, and even with Western investments and technological help the authors see no prospects of sizable improvement for many years to come.

Yet the main obstacles to recovery for the Russian state and society, if indeed not to its survival, lie elsewhere. The authors list a number of mostly unfavorable contingencies under the heading of "Surprises," and preface them with a startling admonition, especially for a book of this kind: "only one thing about the future is absolutely sure. It will surely surprise us." Such becoming modesty is not likely to endear them to many American social scientists who humorlessly insist on the scientific exactitude of their various "models" and "paradigms."

And what unpleasant surprises may await Russia on its road to *The Miracle*: military coups, new Chernobyls, a whole plethora of troubles with other former parts of the USSR, or with China, internal disintegration—all of these events could deflect the country from the desirable path into the embrace of the Russian Bear. Yet for all such dangers, Yergin and Gustafson finally conclude that Russia is bound to succeed in steering through the mine field of Surprises to the safe haven of *The Miracle*, or a state very close to it: "a democratic Russia is possible; a non-imperial Russia is possible. A capitalist Russia seems almost certain." It would be capitalism Russian style, with a central government still playing a dominant role in the economy, thus bearing some similarity to, say, that of Mexico.

Much as it was once fashionable to berate capitalism, we have recently become too prone to see in it a magic key to a better and freer society. There was capitalism, if not quite a free market, under Hitler, and a peculiar type of capitalism has of late been flourishing in parts of the People's Republic of China. In general one feels that, for all its many excellent points, *Russia 2010*, like most recent treatments of the subject, overstates the importance of the purely economic element in projecting the future of the country. Why have the Russian and Ukrainian economies declined so disastrously in the last five years? Mostly because of the collapse of politi-

cal authority, first in the USSR and then in its two main legates. What is necessary for real economic reform to be effective and acceptable to the people? Alas, mainly a strong and centralized political authority. Of course there are obvious dangers to the latter, but the continuation of present political turbulence poses a much greater danger.

What, then, is to be done? Yergin and Gustafson say quite rightly that the task of political and economic reconstruction has to be done by the Russians themselves. What the West can do to help must at best be of marginal importance. Let us add that some forms of Western assistance and advice, well-meant as they have been, may actually turn out—at times have turned out—to be harmful. Those visions of vast Marshall Plan-type economic assistance by G-7 countries were not only fantasies, but proved psychologically debilitating to the makers of Russia's future. These visions undercut their self-reliance and are bound to leave a residue of deep resentment of the West.

If Russia does not plunge into complete chaos, it will very likely recoup at least some of the characteristics of a major power. Yergin and Gustafson are wise in urging that we treat it as one today. Let us generalize: those allegedly

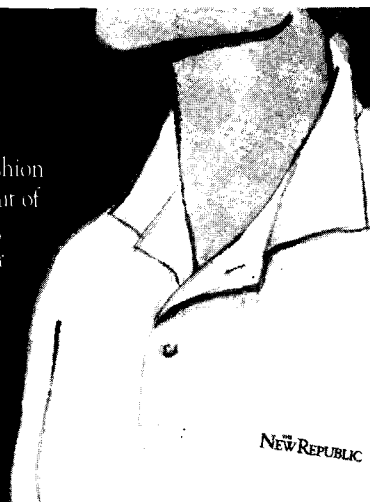
sophisticated precepts for American foreign policy that begin with the ritualistic injunction that the cold war is over do not serve this country well. We forget that we did not stagger through the vicissitudes of the cold war just to defeat imperialistic communism, but to achieve a degree of stability and order under law in the world. A chaos-ridden or fascist-ruled country of 150 million with all those nuclear weapons might well eventually prove a greater threat to that goal than did the somewhat somnolent Soviet Union under Brezhnev.

Nor did America conceive as one of its cold war goals turning Russia into a model democracy with all the blessings of capitalism. Rather our policies strove, and should continue to strive, for something more modest and practical than *The Miracle*: a peaceful and friendly Moscow, its people confident that they must work out a better future for themselves. Much as Yergin and Gustafson hope for more, their book is an exhaustive and intelligent guide to the dilemmas that Russia's current condition poses both for itself and for the West.

ADAM ULAM is professor of history and political science at Harvard. His latest book is *The Communists* (Charles Scribner's Sons).

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NEW YORK DIARIST

Dropping Jackie

HER LETTERS TO ME REVEALED the mind not merely of a former First Lady turned recluse turned editor of the autobiography of Michael Jackson, but of a strong and independent woman. We discussed Mahler and the Punic wars. We spoke of fin de siècle Vienna. The last time we met was while sailing off the Cape. Or perhaps it was lunching at Bouley. What I recall most vividly was the grace with which she placed her hand on mine and said, simply, "I cannot wait for your next book." And then she expired. I shall miss her.

ALAS, I SHALL NOT; OR, AT LEAST, not personally. It appears, however, that I am alone in not having known Jacqueline Kennedy Onassis. Having lived a life famous for its reticence, she now is being recast as a glad-hander of almost Clintonian proportions. *New York, The New Yorker, The New York Observer* and *People* have devoted much space to the recollections of the writers, editors, publishers, flacks, designers, neighbors and courtiers who knew her, in many cases it seems, not very well. Of course, these people come to us in the guise of eulogists; they purport to extol her virtues. That their true motive is to yoke themselves to Jackie O. for eternity can be divined only by how quickly their talk of her virtues gets lost in a sea of non sequiturs. Indeed, like most name-dropping camouflaged as praise ("I loved Demi from the minute she called me to ask for the nose job"), many of these personal recollections are faintly damning. Take, for example, the three pages of personal tributes printed in *The New Yorker*. The editors begin by describing how in 1974 Jackie visited William Shawn's office, clutching a short article she had written, and hoping to discuss further assignments for the magazine: "That afternoon at lunch, Mr. Shawn later recalled, she had told him that she knew about a lot of things but she especially knew people—had met lots of them, from all walks of life." Read: the poor woman didn't have an idea in her head. "Mrs. Onassis never did write again for the magazine," the editors explain, "but last Thursday night, when word came of

her death, we called some of the people she'd met and asked them about her." The ensuing testimonials have the texture of an inverted eulogy. They tell us just how much the authors meant to the deceased. A press agent named Matthew Rich, for example, briefly recalls a function he managed for Jackie. "And as I put her in her car," he concludes with what we pray is his point, "she grabbed my hand in a girlish way and in a little voice said, 'Matthew, you commanded those press just like a *field marshall*.'" How interesting, Matthew!

WHAT'S EVEN MORE interesting is that he nearly pulls it off. The name Jackie falls as cleanly as a gold brick through space where all others would become snagged and battered beyond recognition. Of course the Jackie-hurling crowd has the overwhelming advantage of being able to disguise its handiwork as a tribute to a friend. But they enjoy also a number of less obvious exemptions from the tests we usually apply to a name-dropping. To wit: (1) They need not decide when to slither onto a first-name basis. The most common slip of the name-dropper, even at the professional level, is his overquick omission of surnames. Tossing out "Diane" and "Jack" and "John-John" without first explaining that one is referring to Sawyer, Nicholson and Kennedy can inspire skepticism. Such casual familiarity clashes with the portent of a dropped name, like wallabies with a pinstriped suit. But, then, one does not wish to seem too distant, either. What to do? Fortunately Jackie, like Madonna, is a natural one-name drop. (2) The Jackie-hurlers need not worry about sudden shifts in the value of their currency. I know of one fashionable publisher of literary fiction who often spoke about "my friend Terry McDonell, the editor of *Esquire*." That worked nicely, while it lasted. But then one morning his friend was demoted and the dropper arose to find himself trapped in a role that required him to utter the unfortunate line, "my friend Terry McDonell, the editor of *Sports Afield*." Jackie's status is rock solid. (3) They don't have to concentrate to get the name right. Recently my wife and I were introduced to a woman who, when she discovered that my wife wrote for *Forbes* magazine, exclaimed, "We're great friends with Steve and Chip!"

Steve Forbes exists, but nowhere in that vast and delightful clan is there a Forbes named Chip. "Do you mean Kip?" my wife asked, helpfully. "Oh yes," said the woman, pointing to her husband. "He's friends with Kip. I'm friends with Steve." A smooth recovery, but embarrassing nonetheless. Jackie is idiot-proof.

JUST ONE RATHER CRUDE TECHNICAL problem must be addressed by Jackie's many friends: How to relate persuasively one's incidental encounter with the world's most famously private woman? One solution is to go

all wide-eyed and slack-jawed and let loose one of those marvelous lung-busting Naugahyde yawps. After all, this is how most of us feel when we encounter cosmic celebrity, even if it is not how we wish to feel. And the star-struck yawp is perfectly acceptable in most of America. But on the tonier end of the name-dropping spectrum, where truth is subordinated to art, the dropper is expected to cover



his tracks. This he does by insinuating names discreetly into anecdotes genuinely relevant to the conversation, and so more intentionally revealing of the subjects than unintentionally of himself. When it is done well, as by George Plimpton in *The New Yorker*, the effect is to sublimate the name in the manner of a single frame showing a can of Coca-Cola spliced into the long desert scene in *Lawrence of Arabia*. So enchanted are we by Plimpton's charming tale of the pirate party he helped organize for the Kennedy children that we naturally connect Plimpton to Jackie, and think better of him for it.

PROBABLY THERE STILL EXIST A few hoary souls outside of New York, Los Angeles and Washington who find any sort of name-dropping repulsive. I know at least one Southern gentleman who claims actually to distrust people for no reason other than their incessant dropping of names. And yet I have seen this same man, provided with a name or two of his own, hurl and heave with the best of them. Sooner or later, we all drop a name. Ich Bin Ein Name Dropper, as Jack might have said. It is just that some of us do it better than others.

MICHAEL LEWIS

Where We Stand

By Albert Shanker, President
American Federation of Teachers

Standards and Stakes

At the recent White House celebration for Goals 2000, there were lots of placards saying "World-Class Standards." Perhaps this will be our newest education slogan, and we'll soon see schools across the country creating their own "world-class standards"—which will be a few notches above what they have now. But there *is* a world out there. If we are serious about emulating the standards to which other advanced industrialized countries hold their students, we can find out about them. They are not state secrets.

With this in mind, AFT and the National Center for Improving Science Education have produced the first in a planned series of reports. "What College-Bound Students Abroad Are Expected To Know About Biology" offers actual examinations taken by students seeking college entrance in England and Wales, Germany, France and Japan, as well as a U.S. Advanced Placement (AP) biology exam. The report also includes a brief description of each country's school system to provide a context for its examination.

Of course, exams are not the same thing as standards. To come at the standards in these other countries, you also need to examine their curriculums and textbooks. But exams reveal a lot about what students are taught and the level of comprehension expected of them. And when you look at how many kids take the exams—and how many pass them—you can reach some pretty sound conclusions about the standards for high school biology students in these countries.

What do we see? The exams are all demanding, but many more youngsters take and pass them in other countries than in the U.S. From 30 to nearly 60 percent of students in England and Wales, France, Germany and Japan take advanced biology exams like the ones reproduced in this report, and 25 to 36 percent pass them. In the U.S., only 7 percent of students take the AP biology exam, and 4 percent pass.

Furthermore, as the report tells us, college-bound kids in these other countries must pass at least three exams of comparable difficulty in three different areas, so their achievement is broad as well as deep. Probably more of our kids could do well on AP exams, but even if twice as many U.S. students passed the AP biology exam or something comparable, that would still only be 8 percent as opposed to 25 percent in England and 36 percent in Japan.

When confronted with the contrast in achievement between U.S. students and kids in other advanced indus-



The most important thing we can learn from other successful systems is that standards alone are not enough.

trialized nations, people usually say that other systems are elitist, and we educate everybody. But which is more elitist? A system that is able to get 36 percent of all its students to pass a demanding exam or one like ours where only 4 percent pass? Every country has an elite group of students, but ours is tiny, and these other countries are approaching the point where half their youngsters will belong to the elite. We think that any system with high standards educates the few at the expense of the many; these figures show us something quite different.

The accusation of elitism in these other systems used to be well founded. Until relatively recently, few students graduated from high school and fewer went on to college, but the numbers have risen dramatically. In England, for example, the percentage of students going to college has doubled in the last decade or so—without a corresponding drop in standards. The increase in the students meeting high standards should encourage us, especially given the fact that these societies, except for Japan, are far more diverse than they once were. How did they manage? They did it the hard way—by maintaining their high standards and telling kids, "If you want to go to college, you must learn this material and pass these exams. We will help you."

The story is similar for kids from Japan or France or Germany who are not college bound. Holding some youngsters to high academic standards does not mean ignoring the rest. There are high, though different, standards for kids who want to get a job or enter a technical school and exams for these youngsters, too. AFT plans a companion report that will give specimen examinations and talk about what is expected of noncollege-bound students in other advanced industrialized countries.

Goals 2000 offers us a chance to rethink our educational standards using the best ideas from successful systems abroad. But the most important thing we can learn from these systems is that standards alone are not enough. Students have to be willing to do the hard work necessary to meet the standards. Unless something kids want, like going to college or getting a job, is tied to meeting them—unless there are stakes—the most carefully devised standards will be meaningless.

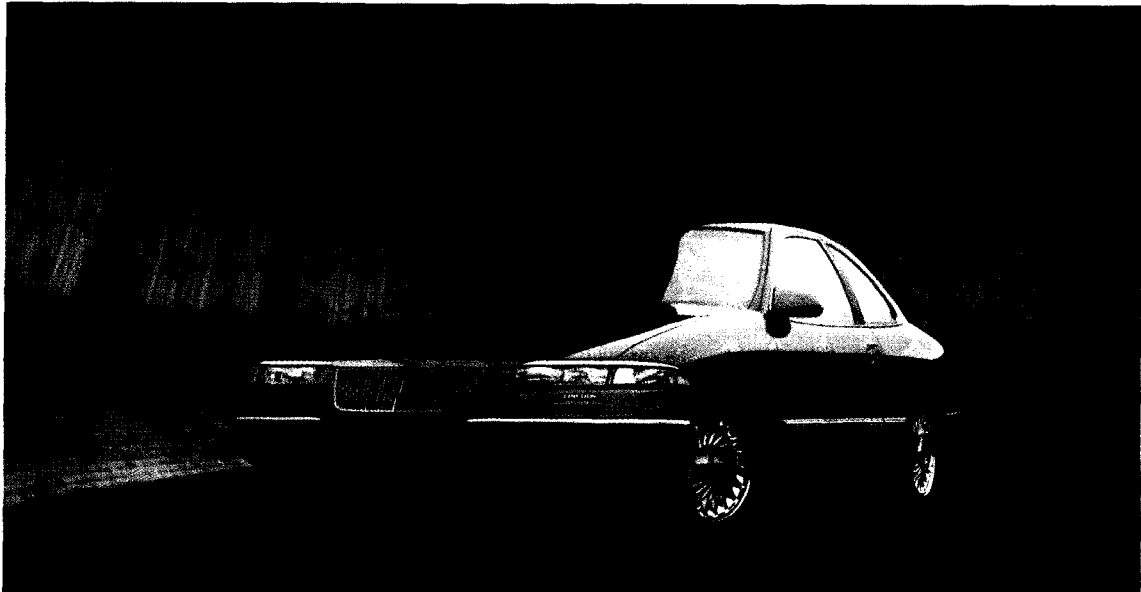
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Mr. Shanker's comments appear in this ad under the auspices of the American Federation of Teachers. Reader correspondence is invited. Address your letters to Mr. Shanker at the AFT, 555 New Jersey Avenue, N.W. Washington, D.C. 20001. © 1994 by Albert Shanker.

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